

## Union Calendar No. 83

107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION**H. R. 2506****[Report No. 107-142]**

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2001

Mr. KOLBE, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

---

**A BILL**

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the  
5       fiscal year ending September 30, 2002, and for other pur-  
6       poses, namely:

1           TITLE I—EXPORT AND INVESTMENT  
2                           ASSISTANCE

3           EXPORT-IMPORT BANK OF THE UNITED STATES

4           The Export-Import Bank of the United States is au-  
5 thorized to make such expenditures within the limits of  
6 funds and borrowing authority available to such corpora-  
7 tion, and in accordance with law, and to make such con-  
8 tracts and commitments without regard to fiscal year limi-  
9 tations, as provided by section 104 of the Government  
10 Corporation Control Act, as may be necessary in carrying  
11 out the program for the current fiscal year for such cor-  
12 poration: *Provided*, That none of the funds available dur-  
13 ing the current fiscal year may be used to make expendi-  
14 tures, contracts, or commitments for the export of nuclear  
15 equipment, fuel, or technology to any country other than  
16 a nuclear-weapon state as defined in Article IX of the  
17 Treaty on the Non-Proliferation of Nuclear Weapons eligi-  
18 ble to receive economic or military assistance under this  
19 Act that has detonated a nuclear explosive after the date  
20 of the enactment of this Act.

21                           SUBSIDY APPROPRIATION

22           For the cost of direct loans, loan guarantees, insur-  
23 ance, and tied-aid grants as authorized by section 10 of  
24 the Export-Import Bank Act of 1945, as amended,  
25 \$753,323,000 to remain available until September 30,  
26 2005: *Provided*, That such costs, including the cost of

1 modifying such loans, shall be as defined in section 502  
2 of the Congressional Budget Act of 1974: *Provided fur-*  
3 *ther*, That such sums shall remain available until Sep-  
4 tember 30, 2020 for the disbursement of direct loans, loan  
5 guarantees, insurance and tied-aid grants obligated in fis-  
6 cal years 2002, 2003, 2004, and 2005: *Provided further*,  
7 That none of the funds appropriated by this Act or any  
8 prior Act appropriating funds for foreign operations, ex-  
9 port financing, or related programs for tied-aid credits or  
10 grants may be used for any other purpose except through  
11 the regular notification procedures of the Committees on  
12 Appropriations: *Provided further*, That funds appropriated  
13 by this paragraph are made available notwithstanding sec-  
14 tion 2(b)(2) of the Export Import Bank Act of 1945, in  
15 connection with the purchase or lease of any product by  
16 any East European country, any Baltic State or any agen-  
17 cy or national thereof.

18 ADMINISTRATIVE EXPENSES

19 For administrative expenses to carry out the direct  
20 and guaranteed loan and insurance programs, including  
21 hire of passenger motor vehicles and services as authorized  
22 by 5 U.S.C. 3109, and not to exceed \$30,000 for official  
23 reception and representation expenses for members of the  
24 Board of Directors, \$63,000,000: *Provided*, That nec-  
25 essary expenses (including special services performed on  
26 a contract or fee basis, but not including other personal

1 services) in connection with the collection of moneys owed  
2 the Export-Import Bank, repossession or sale of pledged  
3 collateral or other assets acquired by the Export-Import  
4 Bank in satisfaction of moneys owed the Export-Import  
5 Bank, or the investigation or appraisal of any property,  
6 or the evaluation of the legal or technical aspects of any  
7 transaction for which an application for a loan, guarantee  
8 or insurance commitment has been made, shall be consid-  
9 ered nonadministrative expenses for the purposes of this  
10 heading: *Provided further*, That, notwithstanding sub-  
11 section (b) of section 117 of the Export Enhancement Act  
12 of 1992, subsection (a) thereof shall remain in effect until  
13 October 1, 2002.

14 OVERSEAS PRIVATE INVESTMENT CORPORATION  
15 NONCREDIT ACCOUNT

16 The Overseas Private Investment Corporation is au-  
17 thorized to make, without regard to fiscal year limitations,  
18 as provided by 31 U.S.C. 9104, such expenditures and  
19 commitments within the limits of funds available to it and  
20 in accordance with law as may be necessary: *Provided*,  
21 That the amount available for administrative expenses to  
22 carry out the credit and insurance programs (including an  
23 amount for official reception and representation expenses  
24 which shall not exceed \$35,000) shall not exceed  
25 \$38,608,000: *Provided further*, That project-specific trans-  
26 action costs, including direct and indirect costs incurred

1 in claims settlements, and other direct costs associated  
2 with services provided to specific investors or potential in-  
3 vestors pursuant to section 234 of the Foreign Assistance  
4 Act of 1961, shall not be considered administrative ex-  
5 penses for the purposes of this heading.

6 PROGRAM ACCOUNT

7 Such sums as may be necessary for administrative  
8 expenses to carry out the credit program may be derived  
9 from amounts available for administrative expenses to  
10 carry out the credit and insurance programs in the Over-  
11 seas Private Investment Corporation noncredit Account  
12 and merged with said account.

13 FUNDS APPROPRIATED TO THE PRESIDENT

14 TRADE AND DEVELOPMENT AGENCY

15 For necessary expenses to carry out the provisions  
16 of section 661 of the Foreign Assistance Act of 1961,  
17 \$50,024,000, to remain available until September 30,  
18 2003.

19 TITLE II—BILATERAL ECONOMIC ASSISTANCE

20 FUNDS APPROPRIATED TO THE PRESIDENT

21 For expenses necessary to enable the President to  
22 carry out the provisions of the Foreign Assistance Act of  
23 1961, and for other purposes, to remain available until  
24 September 30, 2002, unless otherwise specified herein, as  
25 follows:

1 UNITED STATES AGENCY FOR INTERNATIONAL  
2 DEVELOPMENT  
3 CHILD SURVIVAL AND HEALTH PROGRAMS FUND

4 For necessary expenses to carry out the provisions  
5 of chapters 1 and 10 of part I of the Foreign Assistance  
6 Act of 1961 and title I of Public Law 106–570, for child  
7 survival, reproductive health, assistance to combat tropical  
8 and other infectious diseases, and related activities, in ad-  
9 dition to funds otherwise available for such purposes,  
10 \$1,387,000,000, to remain available until expended: *Pro-*  
11 *vided*, That this amount shall be made available for such  
12 activities as: (1) immunization programs; (2) oral rehydra-  
13 tion programs; (3) health, nutrition, water and sanitation  
14 programs, and related education programs, which directly  
15 address the needs of mothers and children; (4) assistance  
16 for displaced and orphaned children; (5) programs for the  
17 prevention, treatment, and control of, and research on, tu-  
18 berculosis, HIV/AIDS, polio, malaria and other infectious  
19 diseases; and (6) reproductive health: *Provided further*,  
20 That none of the funds appropriated under this heading  
21 may be made available for nonproject assistance, except  
22 that funds may be made available for such assistance for  
23 ongoing health programs: *Provided further*, That of the  
24 funds appropriated under this heading, not to exceed  
25 \$125,000, in addition to funds otherwise available for such  
26 purposes, may be used to monitor and provide oversight

1 of child survival, maternal health, and infectious disease  
2 programs: *Provided further*, That the following amounts  
3 should be allocated as follows: \$295,000,000 for child sur-  
4 vival and maternal health; \$25,000,000 for vulnerable  
5 children; \$434,000,000 for HIV/AIDS; \$155,000,000 for  
6 other infectious diseases; \$120,000,000 for UNICEF; and  
7 \$358,000,000 for reproductive health: *Provided further*,  
8 That of the funds appropriated under this heading, up to  
9 \$60,000,000 may be made available for a United States  
10 contribution to the The Vaccine Fund and up to  
11 \$10,000,000 may be made available for the International  
12 AIDS Vaccine Initiative: *Provided further*, That of the  
13 funds appropriated under this heading and under the  
14 heading “Child Survival and Disease Programs Fund” in  
15 the Foreign Operations, Export Financing, and Related  
16 Programs Appropriations Act, 2001, up to \$100,000,000  
17 may be made available for a United States contribution  
18 to a multilateral trust fund to fight HIV/AIDS, malaria,  
19 and tuberculosis: *Provided further*, That none of the funds  
20 made available in this Act nor any unobligated balances  
21 from prior appropriations may be made available to any  
22 organization or program which, as determined by the  
23 President of the United States, supports or participates  
24 in the management of a program of coercive abortion or  
25 involuntary sterilization: *Provided further*, That none of

1 the funds made available under this heading may be used  
2 to pay for the performance of abortion as a method of  
3 family planning or to motivate or coerce any person to  
4 practice abortions; and that in order to reduce reliance  
5 on abortion in developing nations, funds shall be available  
6 only to voluntary family planning projects which offer, ei-  
7 ther directly or through referral to, or information about  
8 access to, a broad range of family planning methods and  
9 services, and that any such voluntary family planning  
10 project shall meet the following requirements: (1) service  
11 providers or referral agents in the project shall not imple-  
12 ment or be subject to quotas, or other numerical targets,  
13 of total number of births, number of family planning ac-  
14 ceptors, or acceptors of a particular method of family  
15 planning (this provision shall not be construed to include  
16 the use of quantitative estimates or indicators for budg-  
17 eting and planning purposes); (2) the project shall not in-  
18 clude payment of incentives, bribes, gratuities, or financial  
19 reward to: (A) an individual in exchange for becoming a  
20 family planning acceptor; or (B) program personnel for  
21 achieving a numerical target or quota of total number of  
22 births, number of family planning acceptors, or acceptors  
23 of a particular method of family planning; (3) the project  
24 shall not deny any right or benefit, including the right of  
25 access to participate in any program of general welfare



1 or the right of access to health care, as a consequence  
2 of any individual's decision not to accept family planning  
3 services; (4) the project shall provide family planning ac-  
4 ceptors comprehensible information on the health benefits  
5 and risks of the method chosen, including those conditions  
6 that might render the use of the method inadvisable and  
7 those adverse side effects known to be consequent to the  
8 use of the method; and (5) the project shall ensure that  
9 experimental contraceptive drugs and devices and medical  
10 procedures are provided only in the context of a scientific  
11 study in which participants are advised of potential risks  
12 and benefits; and, not less than 60 days after the date  
13 on which the Administrator of the United States Agency  
14 for International Development determines that there has  
15 been a violation of the requirements contained in para-  
16 graph (1), (2), (3), or (5) of this proviso, or a pattern  
17 or practice of violations of the requirements contained in  
18 paragraph (4) of this proviso, the Administrator shall sub-  
19 mit to the Committee on International Relations and the  
20 Committee on Appropriations of the House of Representa-  
21 tives and to the Committee on Foreign Relations and the  
22 Committee on Appropriations of the Senate, a report con-  
23 taining a description of such violation and the corrective  
24 action taken by the Agency: *Provided further*, That in  
25 awarding grants for natural family planning under section

1 104 of the Foreign Assistance Act of 1961 no applicant  
 2 shall be discriminated against because of such applicant's  
 3 religious or conscientious commitment to offer only nat-  
 4 ural family planning; and, additionally, all such applicants  
 5 shall comply with the requirements of the previous proviso:  
 6 *Provided further*, That for purposes of this or any other  
 7 Act authorizing or appropriating funds for foreign oper-  
 8 ations, export financing, and related programs, the term  
 9 “motivate”, as it relates to family planning assistance,  
 10 shall not be construed to prohibit the provision, consistent  
 11 with local law, of information or counseling about all preg-  
 12 nancy options: *Provided further*, That nothing in this para-  
 13 graph shall be construed to alter any existing statutory  
 14 prohibitions against abortion under section 104 of the  
 15 Foreign Assistance Act of 1961.

#### 16 DEVELOPMENT ASSISTANCE

17 For necessary expenses to carry out the provisions  
 18 of sections 103, 105, 106, and 131, and chapter 10 of  
 19 part I of the Foreign Assistance Act of 1961,  
 20 \$1,098,000,000, to remain available until September 30,  
 21 2003: *Provided*, That none of the funds appropriated  
 22 under this heading may be made available for any activity  
 23 which is in contravention to the Convention on Inter-  
 24 national Trade in Endangered Species of Flora and Fauna  
 25 (CITES): *Provided further*, That of the funds appro-  
 26 priated under this heading that are made available for as-

1 sistance programs for displaced and orphaned children  
2 and victims of war, not to exceed \$25,000, in addition to  
3 funds otherwise available for such purposes, may be used  
4 to monitor and provide oversight of such programs: *Pro-*  
5 *vided further*, That \$135,000,000 should be allocated for  
6 children's basic education.

7 INTERNATIONAL DISASTER ASSISTANCE

8 For necessary expenses for international disaster re-  
9 lief, rehabilitation, and reconstruction assistance pursuant  
10 to section 491 of the Foreign Assistance Act of 1961, as  
11 amended, \$200,000,000, to remain available until ex-  
12 pended.

13 TRANSITION INITIATIVES

14 For necessary expenses for international disaster re-  
15 habilitation and reconstruction assistance pursuant to sec-  
16 tion 491 of the Foreign Assistance Act of 1961,  
17 \$40,000,000, to remain available until expended, to sup-  
18 port transition to democracy and to long-term develop-  
19 ment of countries in crisis: *Provided*, That such support  
20 may include assistance to develop, strengthen, or preserve  
21 democratic institutions and processes, revitalize basic in-  
22 frastructure, and foster the peaceful resolution of conflict:  
23 *Provided further*, That the United States Agency for Inter-  
24 national Development shall submit a report to the Com-  
25 mittees on Appropriations at least 5 days prior to begin-  
26 ning a new program of assistance.

1 DEVELOPMENT CREDIT AUTHORITY  
2 (INCLUDING TRANSFER OF FUNDS)

3 For the cost of loan guarantees, up to \$12,500,000,  
4 as authorized by sections 108 and 635 of the Foreign As-  
5 sistance Act of 1961: *Provided*, That such funds shall be  
6 derived by transfer from funds appropriated by this Act  
7 to carry out part I of the Foreign Assistance Act of 1961,  
8 and under the heading “Assistance for Eastern Europe  
9 and the Baltic States”: *Provided further*, That such funds  
10 shall be made available only for micro and small enterprise  
11 programs and other programs which further the purposes  
12 of part I of the Act: *Provided further*, That during fiscal  
13 year 2002, commitments to guarantee loans shall not ex-  
14 ceed \$177,500,000: *Provided further*, That such costs shall  
15 be as defined in section 502 of the Congressional Budget  
16 Act of 1974: *Provided further*, That the provisions of sec-  
17 tion 107A(d) (relating to general provisions applicable to  
18 the Development Credit Authority) of the Foreign Assist-  
19 ance Act of 1961, as contained in section 306 of H.R.  
20 1486 as reported by the House Committee on Inter-  
21 national Relations on May 9, 1997, shall be applicable to  
22 loan guarantees provided under this heading. In addition,  
23 for administrative expenses to carry out credit programs  
24 administered by the United States Agency for Inter-  
25 national Development, \$7,500,000, all of which may be  
26 transferred to and merged with the appropriation for Op-

erating Expenses of the Agency for International Development: *Provided further*, That funds appropriated under this heading shall remain available until September 30, 2003.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND  
DISABILITY FUND

For payment to the “Foreign Service Retirement and Disability Fund”, as authorized by the Foreign Service Act of 1980, \$44,880,000.

OPERATING EXPENSES OF THE UNITED STATES AGENCY  
FOR INTERNATIONAL DEVELOPMENT

For necessary expenses to carry out the provisions of section 667, \$549,000,000: *Provided*, That none of the funds appropriated under this heading may be made available to finance the construction (including architect and engineering services), purchase, or long term lease of offices for use by the United States Agency for International Development, unless the Administrator has identified such proposed construction (including architect and engineering services), purchase, or long term lease of offices in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of these funds for such purposes: *Provided further*, That the previous proviso shall not apply where the total cost of construction (including architect and engineering services), purchase, or long term lease of offices does not exceed \$1,000,000.

1 OPERATING EXPENSES OF THE UNITED STATES AGENCY  
2 FOR INTERNATIONAL DEVELOPMENT OFFICE OF IN-  
3 SPECTOR GENERAL

4 For necessary expenses to carry out the provisions  
5 of section 667, \$30,000,000, to remain available until Sep-  
6 tember 30, 2003, which sum shall be available for the Of-  
7 fice of the Inspector General of the United States Agency  
8 for International Development.

9 OTHER BILATERAL ECONOMIC ASSISTANCE  
10 ECONOMIC SUPPORT FUND

11 For necessary expenses to carry out the provisions  
12 of chapter 4 of part II, \$2,199,000,000, to remain avail-  
13 able until September 30, 2003: *Provided*, That of the  
14 funds appropriated under this heading, not less than  
15 \$720,000,000 shall be available only for Israel, which sum  
16 shall be available on a grant basis as a cash transfer and  
17 shall be disbursed within 30 days of the enactment of this  
18 Act or by October 31, 2001, whichever is later: *Provided*  
19 *further*, That not less than \$655,000,000 shall be available  
20 only for Egypt, which sum shall be provided on a grant  
21 basis, and of which sum cash transfer assistance shall be  
22 provided with the understanding that Egypt will under-  
23 take significant economic reforms which are additional to  
24 those which were undertaken in previous fiscal years: *Pro-*  
25 *vided further*, That in exercising the authority to provide

1 cash transfer assistance for Israel, the President shall en-  
2 sure that the level of such assistance does not cause an  
3 adverse impact on the total level of nonmilitary exports  
4 from the United States to such country and that Israel  
5 enters into a side letter agreement in an amount propor-  
6 tional to the fiscal year 1999 agreement: *Provided further*,  
7 That not less than \$35,000,000 of the funds appropriated  
8 under this heading should be made available for Lebanon  
9 to be used, among other programs, for scholarships and  
10 direct support of the American educational institutions in  
11 Lebanon: *Provided further*, That not less than  
12 \$15,000,000 of the funds appropriated under this heading  
13 should be made available for Cyprus to be used only for  
14 scholarships, administrative support of the scholarship  
15 program, bicommunal projects, and measures aimed at re-  
16 unification of the island and designed to reduce tensions  
17 and promote peace and cooperation between the two com-  
18 munities on Cyprus: *Provided further*, That funds appro-  
19 priated under this heading may be used, notwithstanding  
20 any other provision of law, to provide assistance to the  
21 National Democratic Alliance of Sudan to strengthen its  
22 ability to protect civilians from attacks, slave raids, and  
23 aerial bombardment by the Sudanese Government forces  
24 and its militia allies, and the provision of such funds shall  
25 be subject to the regular notification procedures of the

1 Committees on Appropriations: *Provided further*, That in  
2 the previous proviso, the term “assistance” includes non-  
3 lethal, non-food aid such as blankets, medicine, fuel, mo-  
4 bile clinics, water drilling equipment, communications  
5 equipment to notify civilians of aerial bombardment, non-  
6 military vehicles, tents, and shoes.

7 INTERNATIONAL FUND FOR IRELAND

8 For necessary expenses to carry out the provisions  
9 of chapter 4 of part II of the Foreign Assistance Act of  
10 1961, \$25,000,000, which shall be available for the United  
11 States contribution to the International Fund for Ireland  
12 and shall be made available in accordance with the provi-  
13 sions of the Anglo-Irish Agreement Support Act of 1986  
14 (Public Law 99–415): *Provided*, That such amount shall  
15 be expended at the minimum rate necessary to make time-  
16 ly payment for projects and activities: *Provided further*,  
17 That funds made available under this heading shall re-  
18 main available until September 30, 2003.

19 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC  
20 STATES

21 (a) For necessary expenses to carry out the provisions  
22 of the Foreign Assistance Act of 1961 and the Support  
23 for East European Democracy (SEED) Act of 1989,  
24 \$600,000,000, to remain available until September 30,  
25 2003, which shall be available, notwithstanding any other  
26 provision of law, for assistance and for related programs



1 for Eastern Europe and the Baltic States: *Provided*, That  
2 funds made available for assistance for Kosovo from funds  
3 appropriated under this heading and under the headings  
4 “Economic Support Fund” and “International Narcotics  
5 Control and Law Enforcement” should not exceed 15 per-  
6 cent of the total resources pledged by all donors for cal-  
7 endar year 2002 for assistance for Kosovo as of March  
8 31, 2002: *Provided further*, That none of the funds made  
9 available under this Act for assistance for Kosovo shall  
10 be made available for large scale physical infrastructure  
11 reconstruction.

12 (b) Funds appropriated under this heading or in prior  
13 appropriations Acts that are or have been made available  
14 for an Enterprise Fund may be deposited by such Fund  
15 in interest-bearing accounts prior to the Fund’s disburse-  
16 ment of such funds for program purposes. The Fund may  
17 retain for such program purposes any interest earned on  
18 such deposits without returning such interest to the Treas-  
19 ury of the United States and without further appropria-  
20 tion by the Congress. Funds made available for Enterprise  
21 Funds shall be expended at the minimum rate necessary  
22 to make timely payment for projects and activities.

23 (c) Funds appropriated under this heading shall be  
24 considered to be economic assistance under the Foreign  
25 Assistance Act of 1961 for purposes of making available

1 the administrative authorities contained in that Act for  
2 the use of economic assistance.

3 (d) With regard to funds appropriated under this  
4 heading for the economic revitalization program in Bosnia  
5 and Herzegovina, and local currencies generated by such  
6 funds (including the conversion of funds appropriated  
7 under this heading into currency used by Bosnia and  
8 Herzegovina as local currency and local currency returned  
9 or repaid under such program) the Administrator of the  
10 United States Agency for International Development shall  
11 provide written approval for grants and loans prior to the  
12 obligation and expenditure of funds for such purposes, and  
13 prior to the use of funds that have been returned or repaid  
14 to any lending facility or grantee.

15 (e) The provisions of section 529 of this Act shall  
16 apply to funds made available under subsection (e) and  
17 to funds appropriated under this heading: *Provided*, That  
18 notwithstanding any provision of this or any other Act,  
19 including provisions in this subsection regarding the appli-  
20 cation of section 529 of this Act, local currencies gen-  
21 erated by, or converted from, funds appropriated by this  
22 Act and by previous appropriations Acts and made avail-  
23 able for the economic revitalization program in Bosnia  
24 may be used in Eastern Europe and the Baltic States to  
25 carry out the provisions of the Foreign Assistance Act of

1 1961 and the Support for East European Democracy  
2 (SEED) Act of 1989.

3 (f) The President is authorized to withhold funds ap-  
4 propriated under this heading made available for economic  
5 revitalization programs in Bosnia and Herzegovina, if he  
6 determines and certifies to the Committees on Appropria-  
7 tions that the Federation of Bosnia and Herzegovina has  
8 not complied with article III of annex 1–A of the General  
9 Framework Agreement for Peace in Bosnia and  
10 Herzegovina concerning the withdrawal of foreign forces,  
11 and that intelligence cooperation on training, investiga-  
12 tions, and related activities between Iranian officials and  
13 Bosnian officials has not been terminated.

14 ASSISTANCE FOR THE INDEPENDENT STATES OF THE  
15 FORMER SOVIET UNION

16 (a) For necessary expenses to carry out the provisions  
17 of chapters 11 and 12 of part I of the Foreign Assistance  
18 Act of 1961 and the FREEDOM Support Act, for assist-  
19 ance for the Independent States of the former Soviet  
20 Union and for related programs, \$768,000,000, to remain  
21 available until September 30, 2003: *Provided*, That the  
22 provisions of such chapters shall apply to funds appro-  
23 priated by this paragraph: *Provided further*, That of the  
24 funds made available for the Southern Caucasus region,  
25 notwithstanding any other provision of law, 15 percent  
26 may be used for confidence-building measures and other

1 activities in furtherance of the peaceful resolution of the  
2 regional conflicts, especially those in the vicinity of  
3 Abkhazia and Nagorno-Karabagh: *Provided further*, That  
4 of the funds appropriated under this heading, not less  
5 than \$1,500,000 should be available only to meet the  
6 health and other assistance needs of victims of trafficking  
7 in persons.

8 (b) Of the funds appropriated under this heading, not  
9 to exceed \$125,000,000 may be made available for assist-  
10 ance for Ukraine.

11 (c) Of the funds appropriated under this title, not  
12 less than \$82,500,000 should be made available for assist-  
13 ance for Georgia.

14 (d) Of the funds appropriated under this title, not  
15 less than \$82,500,000 should be made available for assist-  
16 ance for Armenia.

17 (e) Section 907 of the FREEDOM Support Act shall  
18 not apply to—

19 (1) activities to support democracy or assist-  
20 ance under title V of the FREEDOM Support Act  
21 and section 1424 of Public Law 104–201;

22 (2) any assistance provided by the Trade and  
23 Development Agency under section 661 of the For-  
24 eign Assistance Act of 1961 (22 U.S.C. 2421);

1           (3) any activity carried out by a member of the  
2       United States and Foreign Commercial Service while  
3       acting within his or her official capacity;

4           (4) any insurance, reinsurance, guarantee, or  
5       other assistance provided by the Overseas Private  
6       Investment Corporation under title IV of chapter 2  
7       of part I of the Foreign Assistance Act of 1961 (22  
8       U.S.C. 2191 et seq.);

9           (5) any financing provided under the Export-  
10      Import Bank Act of 1945; or

11          (6) humanitarian assistance.

12          (f) Not more than 30 percent of the funds appro-  
13      priated under this heading may be made available for as-  
14      sistance for any country in the region. Activities author-  
15      ized under title V (nonproliferation and disarmament pro-  
16      grams and activities) of the FREEDOM Support Act shall  
17      not be counted against the 30 percent limitation.

18          (g)(1) Of the funds appropriated under this heading  
19      that are allocated for assistance for the Government of  
20      the Russian Federation, 60 percent shall be withheld from  
21      obligation until the President determines and certifies in  
22      writing to the Committees on Appropriations that the Gov-  
23      ernment of the Russian Federation:

24              (A) has terminated implementation of arrange-  
25      ments to provide Iran with technical expertise, train-

ing, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability; and

(B) is providing full access to international non-government organizations providing humanitarian relief to refugees and internally displaced persons in Chechnya.

(2) Paragraph (1) shall not apply to—

(A) assistance to combat infectious diseases or assistance for victims of trafficking in persons; and

(B) activities authorized under title V (Non-proliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

(h) Of the funds appropriated under this heading, not less than \$45,000,000 should be made available, in addition to funds otherwise available for such purposes, for assistance for child survival, environmental and reproductive health, and to combat infectious diseases, and for related activities.

## INDEPENDENT AGENCIES

### INTER-AMERICAN FOUNDATION

For expenses necessary to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, and to make commitments without regard to fis-

1 cal year limitations, as provided by 31 U.S.C. 9104(b)(3),  
2 \$12,000,000.

3 AFRICAN DEVELOPMENT FOUNDATION

4 For expenses necessary to carry out title V of the  
5 International Security and Development Cooperation Act  
6 of 1980, Public Law 96–533, and to make commitments  
7 without regard to fiscal year limitations, as provided by  
8 31 U.S.C. 9104(b)(3), \$16,042,000: *Provided*, That funds  
9 made available to grantees may be invested pending ex-  
10 penditure for project purposes when authorized by the  
11 President of the Foundation: *Provided further*, That inter-  
12 est earned shall be used only for the purposes for which  
13 the grant was made: *Provided further*, That this authority  
14 applies to interest earned both prior to and following en-  
15 actment of this provision: *Provided further*, That notwith-  
16 standing section 505(a)(2) of the African Development  
17 Foundation Act, in exceptional circumstances the board  
18 of directors of the Foundation may waive the \$250,000  
19 limitation contained in that section with respect to a  
20 project: *Provided further*, That the Foundation shall pro-  
21 vide a report to the Committees on Appropriations after  
22 each time such waiver authority is exercised.

23 PEACE CORPS

24 For necessary expenses to carry out the provisions  
25 of the Peace Corps Act (75 Stat. 612), \$275,000,000, in-  
26 cluding the purchase of not to exceed five passenger motor

1 vehicles for administrative purposes for use outside of the  
2 United States: *Provided*, That none of the funds appro-  
3 priated under this heading shall be used to pay for abor-  
4 tions: *Provided further*, That funds appropriated under  
5 this heading shall remain available until September 30,  
6 2003.

7 DEPARTMENT OF STATE

8 INTERNATIONAL NARCOTICS CONTROL AND LAW

9 ENFORCEMENT

10 For necessary expenses to carry out section 481 of  
11 the Foreign Assistance Act of 1961, \$217,000,000, to re-  
12 main available until expended: *Provided*, That any funds  
13 made available under this heading for anti-crime programs  
14 and activities shall be made available subject to the reg-  
15 ular notification procedures of the Committees on Appro-  
16 priations: *Provided further*, That during fiscal year 2002,  
17 the Department of State may also use the authority of  
18 section 608 of the Foreign Assistance Act of 1961, with-  
19 out regard to its restrictions, to receive excess property  
20 from an agency of the United States Government for the  
21 purpose of providing it to a foreign country under chapter  
22 8 of part I of that Act subject to the regular notification  
23 procedures of the Committees on Appropriations: *Provided*  
24 *further*, That of the funds appropriated under this head-



1 ing, not more than \$16,660,000 may be available for ad-  
2 ministrative expenses.

3 ANDEAN COUNTERDRUG INITIATIVE

4 For necessary expenses to carry out section 481 of  
5 the Foreign Assistance Act of 1961 solely to support  
6 counterdrug activities in the Andean region of South  
7 America, \$676,000,000, to remain available until ex-  
8 pended: *Provided*, That these funds are in addition to  
9 amounts otherwise available for such purposes and are  
10 available without regard to section 3204(b)(1)(B) of Pub-  
11 lic Law 106–246: *Provided further*, That section 482(b)  
12 of the Foreign Assistance Act of 1961 shall not apply to  
13 funds appropriated under this heading: *Provided further*,  
14 That of the funds appropriated under this heading, not  
15 more than \$14,240,000 may be for administrative ex-  
16 penses.

17 MIGRATION AND REFUGEE ASSISTANCE

18 For expenses, not otherwise provided for, necessary  
19 to enable the Secretary of State to provide, as authorized  
20 by law, contributions to the International Committee of  
21 the Red Cross, assistance to refugees, including contribu-  
22 tions to the International Organization for Migration and  
23 the United Nations High Commissioner for Refugees, and  
24 other activities to meet refugee and migration needs; sala-  
25 ries and expenses of personnel and dependents as author-  
26 ized by the Foreign Service Act of 1980; allowances as

1 authorized by sections 5921 through 5925 of title 5,  
2 United States Code; purchase and hire of passenger motor  
3 vehicles; and services as authorized by section 3109 of title  
4 5, United States Code, \$715,000,000, which shall remain  
5 available until expended: *Provided*, That of the funds ap-  
6 propriated under this heading, not more than \$15,000,000  
7 may be available for administrative expenses: *Provided*  
8 *further*, That funds appropriated under this heading may  
9 be made available for a headquarters contribution to the  
10 International Committee of the Red Cross only if the Sec-  
11 retary of State determines (and so reports to the appro-  
12 priate committees of the Congress) that the Magen David  
13 Adom Society of Israel is not being denied participation  
14 in the activities of the International Red Cross and Red  
15 Crescent Movement.

16 UNITED STATES EMERGENCY REFUGEE AND MIGRATION  
17 ASSISTANCE FUND

18 For necessary expenses to carry out the provisions  
19 of section 2(c) of the Migration and Refugee Assistance  
20 Act of 1962, as amended (22 U.S.C. 2601(c)),  
21 \$15,000,000, to remain available until expended: *Pro-*  
22 *vided*, That the funds made available under this heading  
23 are appropriated notwithstanding the provisions contained  
24 in section 2(c)(2) of the Act which would limit the amount  
25 of funds which could be appropriated for this purpose.

1   NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND  
2                                   RELATED PROGRAMS

3       For necessary expenses for nonproliferation, anti-ter-  
4 rorism and related programs and activities, \$311,000,000,  
5 to carry out the provisions of chapter 8 of part II of the  
6 Foreign Assistance Act of 1961 for anti-terrorism assist-  
7 ance, chapter 9 of part II of the Foreign Assistance Act  
8 of 1961, section 504 of the FREEDOM Support Act, sec-  
9 tion 23 of the Arms Export Control Act or the Foreign  
10 Assistance Act of 1961 for demining activities, the clear-  
11 ance of unexploded ordnance, the destruction of small  
12 arms, and related activities, notwithstanding any other  
13 provision of law, including activities implemented through  
14 nongovernmental and international organizations, section  
15 301 of the Foreign Assistance Act of 1961 for a voluntary  
16 contribution to the International Atomic Energy Agency  
17 (IAEA) and a voluntary contribution to the Korean Penin-  
18 sula Energy Development Organization (KEDO), and for  
19 a United States contribution to the Comprehensive Nu-  
20 clear Test Ban Treaty Preparatory Commission: *Provided*,  
21 That the Secretary of State shall inform the Committees  
22 on Appropriations at least 20 days prior to the obligation  
23 of funds for the Comprehensive Nuclear Test Ban Treaty  
24 Preparatory Commission: *Provided further*, That of this  
25 amount not to exceed \$14,000,000, to remain available

1 until expended, may be made available for the Non-  
2 proliferation and Disarmament Fund, notwithstanding  
3 any other provision of law, to promote bilateral and multi-  
4 lateral activities relating to nonproliferation and disarmament: *Provided further*, That such funds may also be  
5 used for such countries other than the Independent States  
6 of the former Soviet Union and international organiza-  
7 tions when it is in the national security interest of the  
8 United States to do so following consultation with the ap-  
9 propriate committees of Congress: *Provided further*, That  
10 funds appropriated under this heading may be made avail-  
11 able for the International Atomic Energy Agency only if  
12 the Secretary of State determines (and so reports to the  
13 Congress) that Israel is not being denied its right to par-  
14 ticipate in the activities of that Agency.

16 DEPARTMENT OF THE TREASURY

17 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

18 For necessary expenses to carry out the provisions  
19 of section 129 of the Foreign Assistance Act of 1961 (re-  
20 lating to international affairs technical assistance activi-  
21 ties), \$6,000,000, to remain available until expended,  
22 which shall be available notwithstanding any other provi-  
23 sion of law: *Provided*, That these funds shall be subject  
24 to the regular notification procedures of the Committees  
25 on Appropriations.

## DEBT RESTRUCTURING

1  
2 For the cost, as defined in section 502 of the Con-  
3 gressional Budget Act of 1974, of modifying loans and  
4 loan guarantees, as the President may determine, for  
5 which funds have been appropriated or otherwise made  
6 available for programs within the International Affairs  
7 Budget Function 150, including the cost of selling, reduc-  
8 ing, or canceling amounts owed to the United States as  
9 a result of concessional loans made to eligible countries,  
10 pursuant to parts IV and V of the Foreign Assistance Act  
11 of 1961, and of modifying concessional credit agreements  
12 with least developed countries, as authorized under section  
13 411 of the Agricultural Trade Development and Assist-  
14 ance Act of 1954, as amended, and concessional loans,  
15 guarantees and credit agreements, as authorized under  
16 section 572 of the Foreign Operations, Export Financing,  
17 and Related Programs Appropriations Act, 1989 (Public  
18 Law 100–461), and of canceling amounts owed, as a result  
19 of loans or guarantees made pursuant to the Export-Im-  
20 port Bank Act of 1945, by countries that are eligible for  
21 debt reduction pursuant to title V of H.R. 3425 as enacted  
22 into law by section 1000(a)(5) of Public Law 106–113,  
23 \$224,000,000, to remain available until expended: *Pro-*  
24 *vided*, That of unobligated balances of funds available  
25 under this heading from prior year appropriations acts,

1 up to \$25,000,000 may be made available to carry out  
2 the provisions of part V of the Foreign Assistance Act of  
3 1961: *Provided further*, That funds appropriated or other-  
4 wise made available under this heading in this Act may  
5 be used by the Secretary of the Treasury to pay to the  
6 Heavily Indebted Poor Countries (HIPC) Trust Fund ad-  
7 ministered by the International Bank for Reconstruction  
8 and Development amounts for the benefit of countries that  
9 are eligible for debt reduction pursuant to title V of H.R.  
10 3425 as enacted into law by section 1000(a)(5) of Public  
11 Law 106–113: *Provided further*, That amounts paid to the  
12 HIPC Trust Fund may be used only to fund debt reduc-  
13 tion under the enhanced HIPC initiative by—

- 14           (1) the Inter-American Development Bank;  
15           (2) the African Development Fund;  
16           (3) the African Development Bank; and  
17           (4) the Central American Bank for Economic  
18       Integration:

19 *Provided further*, That funds may not be paid to the HIPC  
20 Trust Fund for the benefit of any country if the Secretary  
21 of State has credible evidence that the government of such  
22 country is engaged in a consistent pattern of gross viola-  
23 tions of internationally recognized human rights or in mili-  
24 tary or civil conflict that undermines its ability to develop  
25 and implement measures to alleviate poverty and to devote

1 adequate human and financial resources to that end: *Pro-*  
2 *vided further*, That on the basis of final appropriations,  
3 the Secretary of the Treasury shall consult with the Com-  
4 mittees on Appropriations concerning which countries and  
5 international financial institutions are expected to benefit  
6 from a United States contribution to the HIPC Trust  
7 Fund during the fiscal year: *Provided further*, That the  
8 Secretary of the Treasury shall inform the Committees on  
9 Appropriations not less than 15 days in advance of the  
10 signature of an agreement by the United States to make  
11 payments to the HIPC Trust Fund of amounts for such  
12 countries and institutions: *Provided further*, That the Sec-  
13 retary of the Treasury may disburse funds designated for  
14 debt reduction through the HIPC Trust Fund only for the  
15 benefit of countries that—

16           (a) have committed, for a period of 24 months,  
17       not to accept new market-rate loans from the inter-  
18       national financial institution receiving debt repay-  
19       ment as a result of such disbursement, other than  
20       loans made by such institution to export-oriented  
21       commercial projects that generate foreign exchange  
22       which are generally referred to as “enclave” loans;  
23       and

24           (b) have documented and demonstrated their  
25       commitment to redirect their budgetary resources

1 from international debt repayments to programs to  
2 alleviate poverty and promote economic growth that  
3 are additional to or expand upon those previously  
4 available for such purposes:

5 *Provided further*, That any limitation of subsection (e) of  
6 section 411 of the Agricultural Trade Development and  
7 Assistance Act of 1954 shall not apply to funds appro-  
8 priated under this heading: *Provided further*, That none  
9 of the funds made available under this heading in this or  
10 any other appropriations Acts shall be made available for  
11 Sudan or Burma unless the Secretary of Treasury deter-  
12 mines and notifies the Committees on Appropriations that  
13 a democratically elected government has taken office: *Pro-*  
14 *vided further*, That the authority provided by section 572  
15 of Public Law 100–461 may be exercised only with respect  
16 to countries that are eligible to borrow from the Inter-  
17 national Development Association, but not from the Inter-  
18 national Bank for Reconstruction and Development, com-  
19 monly referred to as “IDA-only” countries.

## 20 TITLE III—MILITARY ASSISTANCE

### 21 FUNDS APPROPRIATED TO THE PRESIDENT

#### 22 INTERNATIONAL MILITARY EDUCATION AND TRAINING

23 For necessary expenses to carry out the provisions  
24 of section 541 of the Foreign Assistance Act of 1961,  
25 \$65,000,000, of which up to \$1,000,000 may remain



1 available until expended: *Provided*, That the civilian per-  
2 sonnel for whom military education and training may be  
3 provided under this heading may include civilians who are  
4 not members of a government whose participation would  
5 contribute to improved civil-military relations, civilian con-  
6 trol of the military, or respect for human rights: *Provided*  
7 *further*, That funds appropriated under this heading for  
8 grant financed military education and training for Indo-  
9 nesia and Guatemala may only be available for expanded  
10 international military education and training and funds  
11 made available for Indonesia and Guatemala may only be  
12 provided through the regular notification procedures of the  
13 Committees on Appropriations.

14 FOREIGN MILITARY FINANCING PROGRAM

15 For expenses necessary for grants to enable the  
16 President to carry out the provisions of section 23 of the  
17 Arms Export Control Act, \$3,627,000,000: *Provided*,  
18 That of the funds appropriated under this heading, not  
19 less than \$2,040,000,000 shall be available for grants only  
20 for Israel, and not less than \$1,300,000,000 shall be made  
21 available for grants only for Egypt: *Provided further*, That  
22 the funds appropriated by this paragraph for Israel shall  
23 be disbursed within 30 days of the enactment of this Act  
24 or by October 31, 2001, whichever is later: *Provided fur-*  
25 *ther*, That to the extent that the Government of Israel re-  
26 quests that funds be used for such purposes, grants made

1 available for Israel by this paragraph shall, as agreed by  
2 Israel and the United States, be available for advanced  
3 weapons systems, of which not less than \$535,000,000  
4 shall be available for the procurement in Israel of defense  
5 articles and defense services, including research and devel-  
6 opment: *Provided further*, That foreign military financing  
7 program funds estimated to be outlaid for Egypt during  
8 fiscal year 2002 shall be transferred to an interest bearing  
9 account for Egypt in the Federal Reserve Bank of New  
10 York within 30 days of enactment of this Act or by Octo-  
11 ber 31, 2001, whichever is later: *Provided further*, That  
12 funds appropriated by this paragraph shall be nonrepay-  
13 able notwithstanding any requirement in section 23 of the  
14 Arms Export Control Act: *Provided further*, That funds  
15 made available under this paragraph shall be obligated  
16 upon apportionment in accordance with paragraph (5)(C)  
17 of title 31, United States Code, section 1501(a).

18       None of the funds made available under this heading  
19 shall be available to finance the procurement of defense  
20 articles, defense services, or design and construction serv-  
21 ices that are not sold by the United States Government  
22 under the Arms Export Control Act unless the foreign  
23 country proposing to make such procurements has first  
24 signed an agreement with the United States Government  
25 specifying the conditions under which such procurements

1 may be financed with such funds: *Provided*, That all coun-  
2 try and funding level increases in allocations shall be sub-  
3 mitted through the regular notification procedures of sec-  
4 tion 515 of this Act: *Provided further*, That none of the  
5 funds appropriated under this heading shall be available  
6 for assistance for Sudan and Liberia: *Provided further*,  
7 That funds made available under this heading may be  
8 used, notwithstanding any other provision of law, for  
9 demining, the clearance of unexploded ordnance, and re-  
10 lated activities, and may include activities implemented  
11 through nongovernmental and international organizations:  
12 *Provided further*, That none of the funds appropriated  
13 under this heading shall be available for assistance for  
14 Guatemala: *Provided further*, That only those countries for  
15 which assistance was justified for the “Foreign Military  
16 Sales Financing Program” in the fiscal year 1989 con-  
17 gressional presentation for security assistance programs  
18 may utilize funds made available under this heading for  
19 procurement of defense articles, defense services or design  
20 and construction services that are not sold by the United  
21 States Government under the Arms Export Control Act:  
22 *Provided further*, That funds appropriated under this  
23 heading shall be expended at the minimum rate necessary  
24 to make timely payment for defense articles and services:  
25 *Provided further*, That not more than \$35,000,000 of the

1 funds appropriated under this heading may be obligated  
 2 for necessary expenses, including the purchase of pas-  
 3 senger motor vehicles for replacement only for use outside  
 4 of the United States, for the general costs of admin-  
 5 istering military assistance and sales: *Provided further*,  
 6 That not more than \$348,000,000 of funds realized pursu-  
 7 ant to section 21(e)(1)(A) of the Arms Export Control Act  
 8 may be obligated for expenses incurred by the Department  
 9 of Defense during fiscal year 2002 pursuant to section  
 10 43(b) of the Arms Export Control Act, except that this  
 11 limitation may be exceeded only through the regular notifi-  
 12 cation procedures of the Committees on Appropriations.

#### 13 PEACEKEEPING OPERATIONS

14 For necessary expenses to carry out the provisions  
 15 of section 551 of the Foreign Assistance Act of 1961,  
 16 \$135,000,000: *Provided*, That none of the funds appro-  
 17 priated under this heading shall be obligated or expended  
 18 except as provided through the regular notification proce-  
 19 dures of the Committees on Appropriations.

### 20 TITLE IV—MULTILATERAL ECONOMIC 21 ASSISTANCE

#### 22 FUNDS APPROPRIATED TO THE PRESIDENT

#### 23 INTERNATIONAL FINANCIAL INSTITUTIONS

#### 24 GLOBAL ENVIRONMENT FACILITY

25 For the United States contribution for the Global En-  
 26 vironment Facility, \$82,500,000, to the International

1 Bank for Reconstruction and Development as trustee for  
2 the Global Environment Facility, by the Secretary of the  
3 Treasury, to remain available until expended.

4 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT  
5 ASSOCIATION

6 For payment to the International Development Asso-  
7 ciation by the Secretary of the Treasury, \$803,400,000,  
8 to remain available until expended: *Provided*, That in ne-  
9 gotiating United States participation in the next replenish-  
10 ment of the International Development Association, the  
11 Secretary of the Treasury shall accord high priority to  
12 providing the International Development Association with  
13 the policy flexibility to provide new grant assistance to  
14 countries eligible for debt reduction under the enhanced  
15 HIPC Initiative.

16 CONTRIBUTION TO THE MULTILATERAL INVESTMENT  
17 GUARANTEE AGENCY

18 For payment to the Multilateral Investment Guar-  
19 antee Agency by the Secretary of the Treasury,  
20 \$10,000,000, for the United States paid-in share of the  
21 increase in capital stock, to remain available until ex-  
22 pended.

23 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

24 The United States Governor of the Multilateral In-  
25 vestment Guarantee Agency may subscribe without fiscal  
26 year limitation for the callable capital portion of the

1 United States share of such capital stock in an amount  
2 not to exceed \$50,000,000.

3 CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT  
4 CORPORATION

5 For payment to the Inter-American Investment Cor-  
6 poration, by the Secretary of the Treasury, \$10,000,000,  
7 for the United States share of the increase in subscrip-  
8 tions to capital stock, to remain available until expended.

9 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

10 For the United States contribution by the Secretary  
11 of the Treasury to the increase in resources of the Asian  
12 Development Fund, as authorized by the Asian Develop-  
13 ment Bank Act, as amended, \$103,017,050, to remain  
14 available until expended.

15 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

16 For payment to the African Development Bank by  
17 the Secretary of the Treasury, \$5,100,000, for the United  
18 States paid-in share of the increase in capital stock, to  
19 remain available until expended.

20 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

21 The United States Governor of the African Develop-  
22 ment Bank may subscribe without fiscal year limitation  
23 for the callable capital portion of the United States share  
24 of such capital stock in an amount not to exceed  
25 \$79,991,500.

1     CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

2           For the United States contribution by the Secretary  
3 of the Treasury to the increase in resources of the African  
4 Development Fund, \$100,000,000, to remain available  
5 until expended.

6           CONTRIBUTION TO THE EUROPEAN BANK FOR  
7           RECONSTRUCTION AND DEVELOPMENT

8           For payment to the European Bank for Reconstruc-  
9 tion and Development by the Secretary of the Treasury,  
10 \$35,778,717, for the United States share of the paid-in  
11 portion of the increase in capital stock, to remain available  
12 until expended.

13     LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

14     The United States Governor of the European Bank  
15 for Reconstruction and Development may subscribe with-  
16 out fiscal year limitation to the callable capital portion of  
17 the United States share of such capital stock in an amount  
18 not to exceed \$123,237,803.

19     CONTRIBUTION TO THE INTERNATIONAL FUND FOR  
20     AGRICULTURAL DEVELOPMENT

21     For the United States contribution by the Secretary  
22 of the Treasury to increase the resources of the Inter-  
23 national Fund for Agricultural Development,  
24 \$20,000,000, to remain available until expended.

## 1 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

2 For necessary expenses to carry out the provisions  
3 of section 301 of the Foreign Assistance Act of 1961, and  
4 of section 2 of the United Nations Environment Program  
5 Participation Act of 1973, \$196,000,000: *Provided*, That  
6 none of the funds appropriated under this heading shall  
7 be made available for the United Nations Fund for  
8 Science and Technology: *Provided further*, That none of  
9 the funds appropriated under this heading may be made  
10 available to the Korean Peninsula Energy Development  
11 Organization (KEDO) or the International Atomic Energy  
12 Agency (IAEA).

## 13 TITLE V—GENERAL PROVISIONS

## 14 OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

15 SEC. 501. Except for the appropriations entitled  
16 “International Disaster Assistance”, and “United States  
17 Emergency Refugee and Migration Assistance Fund”, not  
18 more than 15 percent of any appropriation item made  
19 available by this Act shall be obligated during the last  
20 month of availability.

## 21 PRIVATE AND VOLUNTARY ORGANIZATIONS

22 SEC. 502. (a) None of the funds appropriated or oth-  
23 erwise made available by this Act for development assist-  
24 ance may be made available to any United States private  
25 and voluntary organization, except any cooperative devel-  
26 opment organization, which obtains less than 20 percent



1 of its total annual funding for international activities from  
2 sources other than the United States Government: *Pro-*  
3 *vided*, That the United States Administrator of the Agen-  
4 cy for International Development, after informing the  
5 Committees on Appropriations, may, on a case-by-case  
6 basis, waive the restriction contained in this paragraph,  
7 after taking into account the effectiveness of the overseas  
8 development activities of the organization, its level of vol-  
9 unteer support, its financial viability and stability, and the  
10 degree of its dependence for its financial support on the  
11 agency.

12 (b) Funds appropriated or otherwise made available  
13 under title II of this Act should be made available to pri-  
14 vate and voluntary organizations at a level which is at  
15 least equivalent to the level provided in fiscal year 1995.

16 LIMITATION ON RESIDENCE EXPENSES

17 SEC. 503. Of the funds appropriated or made avail-  
18 able pursuant to this Act, not to exceed \$126,500 shall  
19 be for official residence expenses of the United States  
20 Agency for International Development during the current  
21 fiscal year: *Provided*, That appropriate steps shall be  
22 taken to assure that, to the maximum extent possible,  
23 United States-owned foreign currencies are utilized in lieu  
24 of dollars.

## 1                   LIMITATION ON EXPENSES

2           SEC. 504. Of the funds appropriated or made avail-  
3 able pursuant to this Act, not to exceed \$5,000 shall be  
4 for entertainment expenses of the United States Agency  
5 for International Development during the current fiscal  
6 year.

## 7                   LIMITATION ON REPRESENTATIONAL ALLOWANCES

8           SEC. 505. Of the funds appropriated or made avail-  
9 able pursuant to this Act, not to exceed \$95,000 shall be  
10 available for representation allowances for the United  
11 States Agency for International Development during the  
12 current fiscal year: *Provided*, That appropriate steps shall  
13 be taken to assure that, to the maximum extent possible,  
14 United States-owned foreign currencies are utilized in lieu  
15 of dollars: *Provided further*, That of the funds made avail-  
16 able by this Act for general costs of administering military  
17 assistance and sales under the heading “Foreign Military  
18 Financing Program”, not to exceed \$2,000 shall be avail-  
19 able for entertainment expenses and not to exceed  
20 \$150,000 shall be available for representation allowances:  
21 *Provided further*, That of the funds made available by this  
22 Act under the heading “International Military Education  
23 and Training”, not to exceed \$50,000 shall be available  
24 for entertainment allowances: *Provided further*, That of  
25 the funds made available by this Act for the Inter-Amer-  
26 ican Foundation, not to exceed \$2,000 shall be available

1 for entertainment and representation allowances: *Provided*  
 2 *further*, That of the funds made available by this Act for  
 3 the Peace Corps, not to exceed a total of \$4,000 shall be  
 4 available for entertainment expenses: *Provided further*,  
 5 That of the funds made available by this Act under the  
 6 heading “Trade and Development Agency”, not to exceed  
 7 \$2,000 shall be available for representation and entertain-  
 8 ment allowances.

9 PROHIBITION ON FINANCING NUCLEAR GOODS

10 SEC. 506. None of the funds appropriated or made  
 11 available (other than funds for “Nonproliferation, Anti-  
 12 terrorism, Demining and Related Programs”) pursuant to  
 13 this Act, for carrying out the Foreign Assistance Act of  
 14 1961, may be used, except for purposes of nuclear safety,  
 15 to finance the export of nuclear equipment, fuel, or tech-  
 16 nology.

17 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN  
 18 COUNTRIES

19 SEC. 507. None of the funds appropriated or other-  
 20 wise made available pursuant to this Act shall be obligated  
 21 or expended to finance directly any assistance or repara-  
 22 tions to Cuba, Iraq, Libya, North Korea, Iran, Sudan, or  
 23 Syria: *Provided*, That for purposes of this section, the pro-  
 24 hibition on obligations or expenditures shall include direct  
 25 loans, credits, insurance and guarantees of the Export-Im-  
 26 port Bank or its agents.

## 1 MILITARY COUPS

2 SEC. 508. None of the funds appropriated or other-  
3 wise made available pursuant to this Act shall be obligated  
4 or expended to finance directly any assistance to any coun-  
5 try whose duly elected head of government is deposed by  
6 decree or military coup: *Provided*, That assistance may be  
7 resumed if the President determines and reports to the  
8 Committees on Appropriations that subsequent to the ter-  
9 mination of assistance a democratically elected govern-  
10 ment has taken office or substantial progress has been  
11 made towards the holding of democratic elections.

## 12 TRANSFERS BETWEEN ACCOUNTS

13 SEC. 509. None of the funds made available by this  
14 Act may be obligated under an appropriation account to  
15 which they were not appropriated, except for transfers  
16 specifically provided for in this Act, unless the President,  
17 prior to the exercise of any authority contained in the For-  
18 eign Assistance Act of 1961 to transfer funds, consults  
19 with and provides a written policy justification to the  
20 Committees on Appropriations of the House of Represent-  
21 atives and the Senate.

## 22 DEOBLIGATION/REOBLIGATION AUTHORITY

23 SEC. 510. Obligated balances of funds appropriated  
24 to carry out section 23 of the Arms Export Control Act  
25 as of the end of the fiscal year immediately preceding the  
26 current fiscal year are, if deobligated, hereby continued

1 available during the current fiscal year for the same pur-  
2 pose under any authority applicable to such appropriations  
3 under this Act: *Provided*, That the authority of this sub-  
4 section may not be used in fiscal year 2002.

5 AVAILABILITY OF FUNDS

6 SEC. 511. No part of any appropriation contained in  
7 this Act shall remain available for obligation after the ex-  
8 piration of the current fiscal year unless expressly so pro-  
9 vided in this Act: *Provided*, That funds appropriated for  
10 the purposes of chapters 1, 8, 11, and 12 of part I, section  
11 667, chapter 4 of part II of the Foreign Assistance Act  
12 of 1961, as amended, section 23 of the Arms Export Con-  
13 trol Act, and funds provided under the heading “Assist-  
14 ance for Eastern Europe and the Baltic States”, shall re-  
15 main available for an additional four years from the date  
16 on which the availability of such funds would otherwise  
17 have expired, if such funds are initially obligated before  
18 the expiration of their respective periods of availability  
19 contained in this Act: *Provided further*, That, notwith-  
20 standing any other provision of this Act, any funds made  
21 available for the purposes of chapter 1 of part I and chap-  
22 ter 4 of part II of the Foreign Assistance Act of 1961  
23 which are allocated or obligated for cash disbursements  
24 in order to address balance of payments or economic policy  
25 reform objectives, shall remain available until expended.

## 1 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

2 SEC. 512. No part of any appropriation contained in  
3 this Act shall be used to furnish assistance to any country  
4 which is in default during a period in excess of one cal-  
5 endar year in payment to the United States of principal  
6 or interest on any loan made to the government of such  
7 country by the United States pursuant to a program for  
8 which funds are appropriated under this Act unless the  
9 President determines, following consultations with the  
10 Committees on Appropriations, that assistance to such  
11 country is in the national interest of the United States.

## 12 COMMERCE AND TRADE

13 SEC. 513. (a) None of the funds appropriated or  
14 made available pursuant to this Act for direct assistance  
15 and none of the funds otherwise made available pursuant  
16 to this Act to the Export-Import Bank and the Overseas  
17 Private Investment Corporation shall be obligated or ex-  
18 pended to finance any loan, any assistance or any other  
19 financial commitments for establishing or expanding pro-  
20 duction of any commodity for export by any country other  
21 than the United States, if the commodity is likely to be  
22 in surplus on world markets at the time the resulting pro-  
23 ductive capacity is expected to become operative and if the  
24 assistance will cause substantial injury to United States  
25 producers of the same, similar, or competing commodity:  
26 *Provided*, That such prohibition shall not apply to the Ex-

1 port-Import Bank if in the judgment of its Board of Direc-  
 2 tors the benefits to industry and employment in the  
 3 United States are likely to outweigh the injury to United  
 4 States producers of the same, similar, or competing com-  
 5 modity, and the Chairman of the Board so notifies the  
 6 Committees on Appropriations.

7 (b) None of the funds appropriated by this or any  
 8 other Act to carry out chapter 1 of part I of the Foreign  
 9 Assistance Act of 1961 shall be available for any testing  
 10 or breeding feasibility study, variety improvement or intro-  
 11 duction, consultancy, publication, conference, or training  
 12 in connection with the growth or production in a foreign  
 13 country of an agricultural commodity for export which  
 14 would compete with a similar commodity grown or pro-  
 15 duced in the United States: *Provided*, That this subsection  
 16 shall not prohibit—

17 (1) activities designed to increase food security  
 18 in developing countries where such activities will not  
 19 have a significant impact in the export of agricul-  
 20 tural commodities of the United States; or

21 (2) research activities intended primarily to  
 22 benefit American producers.

## 23 SURPLUS COMMODITIES

24 SEC. 514. The Secretary of the Treasury shall in-  
 25 struct the United States Executive Directors of the Inter-  
 26 national Bank for Reconstruction and Development, the

1 International Development Association, the International  
 2 Finance Corporation, the Inter-American Development  
 3 Bank, the International Monetary Fund, the Asian Devel-  
 4 opment Bank, the Inter-American Investment Corpora-  
 5 tion, the North American Development Bank, the Euro-  
 6 pean Bank for Reconstruction and Development, the Afri-  
 7 can Development Bank, and the African Development  
 8 Fund to use the voice and vote of the United States to  
 9 oppose any assistance by these institutions, using funds  
 10 appropriated or made available pursuant to this Act, for  
 11 the production or extraction of any commodity or mineral  
 12 for export, if it is in surplus on world markets and if the  
 13 assistance will cause substantial injury to United States  
 14 producers of the same, similar, or competing commodity.

#### 15 NOTIFICATION REQUIREMENTS

16 SEC. 515. (a) For the purposes of providing the exec-  
 17 utive branch with the necessary administrative flexibility,  
 18 none of the funds made available under this Act for “Child  
 19 Survival and Health Programs Fund”, “Development As-  
 20 sistance”, “International Organizations and Programs”,  
 21 “Trade and Development Agency”, “International Nar-  
 22 cotics Control and Law Enforcement”, “Assistance for  
 23 Eastern Europe and the Baltic States”, “Assistance for  
 24 the Independent States of the Former Soviet Union”,  
 25 “Economic Support Fund”, “Peacekeeping Operations”,  
 26 “Operating Expenses of the United States Agency for



1 International Development”, “Operating Expenses of the  
2 Agency for United States International Development Of-  
3 fice of Inspector General”, “Nonproliferation, Anti-ter-  
4 rorism, Demining and Related Programs”, “Foreign Mili-  
5 tary Financing Program”, “International Military Edu-  
6 cation and Training”, “Peace Corps”, and “Migration and  
7 Refugee Assistance”, shall be available for obligation for  
8 activities, programs, projects, type of materiel assistance,  
9 countries, or other operations not justified or in excess of  
10 the amount justified to the Appropriations Committees for  
11 obligation under any of these specific headings unless the  
12 Committees on Appropriations of both Houses of Congress  
13 are previously notified 15 days in advance: *Provided*, That  
14 the President shall not enter into any commitment of  
15 funds appropriated for the purposes of section 23 of the  
16 Arms Export Control Act for the provision of major de-  
17 fense equipment, other than conventional ammunition, or  
18 other major defense items defined to be aircraft, ships,  
19 missiles, or combat vehicles, not previously justified to  
20 Congress or 20 percent in excess of the quantities justified  
21 to Congress unless the Committees on Appropriations are  
22 notified 15 days in advance of such commitment: *Provided*  
23 *further*, That this section shall not apply to any re-  
24 programming for an activity, program, or project under  
25 chapter 1 of part I of the Foreign Assistance Act of 1961

1 of less than 10 percent of the amount previously justified  
2 to the Congress for obligation for such activity, program,  
3 or project for the current fiscal year: *Provided further*,  
4 That the requirements of this section or any similar provi-  
5 sion of this Act or any other Act, including any prior Act  
6 requiring notification in accordance with the regular noti-  
7 fication procedures of the Committees on Appropriations,  
8 may be waived if failure to do so would pose a substantial  
9 risk to human health or welfare: *Provided further*, That  
10 in case of any such waiver, notification to the Congress,  
11 or the appropriate congressional committees, shall be pro-  
12 vided as early as practicable, but in no event later than  
13 3 days after taking the action to which such notification  
14 requirement was applicable, in the context of the cir-  
15 cumstances necessitating such waiver: *Provided further*,  
16 That any notification provided pursuant to such a waiver  
17 shall contain an explanation of the emergency cir-  
18 cumstances.

19 LIMITATION ON AVAILABILITY OF FUNDS FOR

20 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

21 SEC. 516. Subject to the regular notification proce-  
22 dures of the Committees on Appropriations, funds appro-  
23 priated under this Act or any previously enacted Act mak-  
24 ing appropriations for foreign operations, export financ-  
25 ing, and related programs, which are returned or not made  
26 available for organizations and programs because of the

1 implementation of section 307(a) of the Foreign Assist-  
2 ance Act of 1961, shall remain available for obligation  
3 until September 30, 2003.

4 INDEPENDENT STATES OF THE FORMER SOVIET UNION

5 SEC. 517. (a) None of the funds appropriated under  
6 the heading “Assistance for the Independent States of the  
7 Former Soviet Union” shall be made available for assist-  
8 ance for a government of an Independent State of the  
9 former Soviet Union—

10 (1) unless that government is making progress  
11 in implementing comprehensive economic reforms  
12 based on market principles, private ownership, re-  
13 spect for commercial contracts, and equitable treat-  
14 ment of foreign private investment; and

15 (2) if that government applies or transfers  
16 United States assistance to any entity for the pur-  
17 pose of expropriating or seizing ownership or control  
18 of assets, investments, or ventures.

19 Assistance may be furnished without regard to this sub-  
20 section if the President determines that to do so is in the  
21 national interest.

22 (b) None of the funds appropriated under the heading  
23 “Assistance for the Independent States of the Former So-  
24 viet Union” shall be made available for assistance for a  
25 government of an Independent State of the former Soviet  
26 Union if that government directs any action in violation

1 of the territorial integrity or national sovereignty of any  
2 other Independent State of the former Soviet Union, such  
3 as those violations included in the Helsinki Final Act: *Pro-*  
4 *vided*, That such funds may be made available without re-  
5 gard to the restriction in this subsection if the President  
6 determines that to do so is in the national security interest  
7 of the United States.

8 (c) None of the funds appropriated under the heading  
9 “Assistance for the Independent States of the Former So-  
10 viet Union” shall be made available for any state to en-  
11 hance its military capability: *Provided*, That this restric-  
12 tion does not apply to demilitarization, demining or non-  
13 proliferation programs.

14 (d) Funds appropriated under the heading “Assist-  
15 ance for the Independent States of the Former Soviet  
16 Union” for the Russian Federation, Armenia, Georgia,  
17 and Ukraine shall be subject to the regular notification  
18 procedures of the Committees on Appropriations.

19 (e) Funds made available in this Act for assistance  
20 for the Independent States of the former Soviet Union  
21 shall be subject to the provisions of section 117 (relating  
22 to environment and natural resources) of the Foreign As-  
23 sistance Act of 1961.

24 (f) Funds appropriated in this or prior appropriations  
25 Acts that are or have been made available for an Enter-

1   prise Fund in the Independent States of the Former So-  
2   viet Union may be deposited by such Fund in interest-  
3   bearing accounts prior to the disbursement of such funds  
4   by the Fund for program purposes. The Fund may retain  
5   for such program purposes any interest earned on such  
6   deposits without returning such interest to the Treasury  
7   of the United States and without further appropriation by  
8   the Congress. Funds made available for Enterprise Funds  
9   shall be expended at the minimum rate necessary to make  
10  timely payment for projects and activities.

11       (g) In issuing new task orders, entering into con-  
12  tracts, or making grants, with funds appropriated in this  
13  Act or prior appropriations Acts under the heading “As-  
14  sistance for the Independent States of the Former Soviet  
15  Union” and under comparable headings in prior appro-  
16  priations Acts, for projects or activities that have as one  
17  of their primary purposes the fostering of private sector  
18  development, the Coordinator for United States Assistance  
19  to the New Independent States and the implementing  
20  agency shall encourage the participation of and give sig-  
21  nificant weight to contractors and grantees who propose  
22  investing a significant amount of their own resources (in-  
23  cluding volunteer services and in-kind contributions) in  
24  such projects and activities.

1           PROHIBITION ON FUNDING FOR ABORTIONS AND  
2                           INVOLUNTARY STERILIZATION

3           SEC. 518. None of the funds made available to carry  
4 out part I of the Foreign Assistance Act of 1961, as  
5 amended, may be used to pay for the performance of abor-  
6 tions as a method of family planning or to motivate or  
7 coerce any person to practice abortions. None of the funds  
8 made available to carry out part I of the Foreign Assist-  
9 ance Act of 1961, as amended, may be used to pay for  
10 the performance of involuntary sterilization as a method  
11 of family planning or to coerce or provide any financial  
12 incentive to any person to undergo sterilizations. None of  
13 the funds made available to carry out part I of the Foreign  
14 Assistance Act of 1961, as amended, may be used to pay  
15 for any biomedical research which relates in whole or in  
16 part, to methods of, or the performance of, abortions or  
17 involuntary sterilization as a means of family planning.  
18 None of the funds made available to carry out part I of  
19 the Foreign Assistance Act of 1961, as amended, may be  
20 obligated or expended for any country or organization if  
21 the President certifies that the use of these funds by any  
22 such country or organization would violate any of the  
23 above provisions related to abortions and involuntary steri-  
24 lizations: *Provided*, That none of the funds made available

1 under this Act may be used to lobby for or against abor-  
2 tion.

3 EXPORT FINANCING TRANSFER AUTHORITIES

4 SEC. 519. Not to exceed 5 percent of any appropria-  
5 tion other than for administrative expenses made available  
6 for fiscal year 2001, for programs under title I of this  
7 Act may be transferred between such appropriations for  
8 use for any of the purposes, programs, and activities for  
9 which the funds in such receiving account may be used,  
10 but no such appropriation, except as otherwise specifically  
11 provided, shall be increased by more than 25 percent by  
12 any such transfer: *Provided*, That the exercise of such au-  
13 thority shall be subject to the regular notification proce-  
14 dures of the Committees on Appropriations.

15 SPECIAL NOTIFICATION REQUIREMENTS

16 SEC. 520. None of the funds appropriated by this Act  
17 shall be obligated or expended for Colombia, Haiti, Libe-  
18 ria, Sudan, Zimbabwe, Pakistan, or the Democratic Re-  
19 public of Congo except as provided through the regular  
20 notification procedures of the Committees on Appropria-  
21 tions.

22 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

23 SEC. 521. For the purpose of this Act, “program,  
24 project, and activity” shall be defined at the appropria-  
25 tions Act account level and shall include all appropriations  
26 and authorizations Acts earmarks, ceilings, and limita-

tions with the exception that for the following accounts:  
Economic Support Fund and Foreign Military Financing  
Program, “program, project, and activity” shall also be  
considered to include country, regional, and central pro-  
gram level funding within each such account; for the devel-  
opment assistance accounts of the Agency for Inter-  
national Development “program, project, and activity”  
shall also be considered to include central program level  
funding, either as: (1) justified to the Congress; or (2)  
allocated by the executive branch in accordance with a re-  
port, to be provided to the Committees on Appropriations  
within 30 days of the enactment of this Act, as required  
by section 653(a) of the Foreign Assistance Act of 1961.

CHILD SURVIVAL AND DISEASE PREVENTION ACTIVITIES

SEC. 522. Up to \$16,000,000 of the funds made  
available by this Act for assistance under the heading  
“Child Survival and Health Programs Fund”, may be  
used to reimburse United States Government agencies,  
agencies of State governments, institutions of higher  
learning, and private and voluntary organizations for the  
full cost of individuals (including for the personal services  
of such individuals) detailed or assigned to, or contracted  
by, as the case may be, the United States Agency for  
International Development for the purpose of carrying out  
activities under that heading: *Provided*, That up to  
\$1,500,000 of the funds made available by this Act for



1 assistance under the heading “Development Assistance”  
2 may be used to reimburse such agencies, institutions, and  
3 organizations for such costs of such individuals carrying  
4 out other development assistance activities: *Provided fur-*  
5 *ther*, That funds appropriated by this Act that are made  
6 available for child survival activities or disease programs  
7 including activities relating to research on, and the preven-  
8 tion, treatment and control of, Acquired Immune Defi-  
9 ciency Syndrome may be made available notwithstanding  
10 any provision of law that restricts assistance to foreign  
11 countries: *Provided further*, That funds appropriated  
12 under title II of this Act may be made available pursuant  
13 to section 301 of the Foreign Assistance Act of 1961 if  
14 a primary purpose of the assistance is for child survival  
15 and related programs.

16 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN  
17 COUNTRIES

18 SEC. 523. None of the funds appropriated or other-  
19 wise made available pursuant to this Act shall be obligated  
20 to finance indirectly any assistance or reparations to  
21 Cuba, Iraq, Libya, Iran, Syria, North Korea, or Sudan,  
22 unless the President of the United States certifies that  
23 the withholding of these funds is contrary to the national  
24 interest of the United States.

## 1 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

2 SEC. 524. Prior to providing excess Department of  
3 Defense articles in accordance with section 516(a) of the  
4 Foreign Assistance Act of 1961, the Department of De-  
5 fense shall notify the Committees on Appropriations to the  
6 same extent and under the same conditions as are other  
7 committees pursuant to subsection (f) of that section:  
8 *Provided*, That before issuing a letter of offer to sell excess  
9 defense articles under the Arms Export Control Act, the  
10 Department of Defense shall notify the Committees on  
11 Appropriations in accordance with the regular notification  
12 procedures of such Committees if such defense articles are  
13 significant military equipment (as defined in section 47(9)  
14 of the Arms Export Control Act) or are valued (in terms  
15 of original acquisition cost) at \$7,000,000 or more, or if  
16 notification is required elsewhere in this Act for the use  
17 of appropriated funds for specific countries that would re-  
18 ceive such excess defense articles: *Provided further*, That  
19 such Committees shall also be informed of the original ac-  
20 quisition cost of such defense articles.

## 21 AUTHORIZATION REQUIREMENT

22 SEC. 525. Funds appropriated by this Act, except  
23 funds appropriated under the headings “Trade and Devel-  
24 opment Agency”, “Peace Corps”, “International Military  
25 Education and Training”, and “Foreign Military Financ-  
26 ing Program”, may be obligated and expended notwith-

1 standing section 10 of Public Law 91–672 and section 15  
2 of the State Department Basic Authorities Act of 1956.

3 DEMOCRACY PROGRAMS

4 SEC. 526. Funds appropriated by this Act that are  
5 provided to the National Endowment for Democracy may  
6 be provided notwithstanding any other provision of law or  
7 regulation: *Provided*, That notwithstanding any other pro-  
8 vision of law, of the funds appropriated by this Act to  
9 carry out the provisions of chapter 4 of part II of the For-  
10 eign Assistance Act of 1961, not to exceed \$3,000,000  
11 may be made available to nongovernmental organizations  
12 located outside the People’s Republic of China to support  
13 activities which preserve cultural traditions and promote  
14 sustainable development and environmental conservation  
15 in Tibetan communities in that country: *Provided further*,  
16 That funds made available pursuant to the authority of  
17 this section for programs, projects, and activities for the  
18 People’s Republic of China shall be subject to the regular  
19 notification procedures of the Committees on Appropria-  
20 tions.

21 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST  
22 COUNTRIES

23 SEC. 527. (a) Funds appropriated for bilateral assist-  
24 ance under any heading of this Act and funds appro-  
25 priated under any such heading in a provision of law en-

1 acted prior to the enactment of this Act, shall not be made  
2 available to any country which the President determines—

3 (1) grants sanctuary from prosecution to any  
4 individual or group which has committed an act of  
5 international terrorism; or

6 (2) otherwise supports international terrorism.

7 (b) The President may waive the application of sub-  
8 section (a) to a country if the President determines that  
9 national security or humanitarian reasons justify such  
10 waiver. The President shall publish each waiver in the  
11 Federal Register and, at least 15 days before the waiver  
12 takes effect, shall notify the Committees on Appropria-  
13 tions of the waiver (including the justification for the waiv-  
14 er) in accordance with the regular notification procedures  
15 of the Committees on Appropriations.

16 DEBT-FOR-DEVELOPMENT

17 SEC. 528. In order to enhance the continued partici-  
18 pation of nongovernmental organizations in economic as-  
19 sistance activities under the Foreign Assistance Act of  
20 1961, including endowments, debt-for-development and  
21 debt-for-nature exchanges, a nongovernmental organiza-  
22 tion which is a grantee or contractor of the United States  
23 Agency for International Development may place in inter-  
24 est bearing accounts funds made available under this Act  
25 or prior Acts or local currencies which accrue to that orga-  
26 nization as a result of economic assistance provided under

1 title II of this Act and any interest earned on such invest-  
2 ment shall be used for the purpose for which the assist-  
3 ance was provided to that organization.

4 SEPARATE ACCOUNTS

5 SEC. 529. (a) SEPARATE ACCOUNTS FOR LOCAL  
6 CURRENCIES.—(1) If assistance is furnished to the gov-  
7 ernment of a foreign country under chapters 1 and 10 of  
8 part I or chapter 4 of part II of the Foreign Assistance  
9 Act of 1961 under agreements which result in the genera-  
10 tion of local currencies of that country, the Administrator  
11 of the United States Agency for International Develop-  
12 ment shall—

13 (A) require that local currencies be deposited in  
14 a separate account established by that government;

15 (B) enter into an agreement with that govern-  
16 ment which sets forth—

17 (i) the amount of the local currencies to be  
18 generated; and

19 (ii) the terms and conditions under which  
20 the currencies so deposited may be utilized, con-  
21 sistent with this section; and

22 (C) establish by agreement with that govern-  
23 ment the responsibilities of the United States Agen-  
24 cy for International Development and that govern-  
25 ment to monitor and account for deposits into and  
26 disbursements from the separate account.

1       (2) USES OF LOCAL CURRENCIES.—As may be  
2 agreed upon with the foreign government, local currencies  
3 deposited in a separate account pursuant to subsection  
4 (a), or an equivalent amount of local currencies, shall be  
5 used only—

6           (A) to carry out chapter 1 or 10 of part I or  
7 chapter 4 of part II (as the case may be), for such  
8 purposes as—

9           (i) project and sector assistance activities;

10          or

11          (ii) debt and deficit financing; or

12           (B) for the administrative requirements of the  
13 United States Government.

14       (3) PROGRAMMING ACCOUNTABILITY.—The United  
15 States Agency for International Development shall take all  
16 necessary steps to ensure that the equivalent of the local  
17 currencies disbursed pursuant to subsection (a)(2)(A)  
18 from the separate account established pursuant to sub-  
19 section (a)(1) are used for the purposes agreed upon pur-  
20 suant to subsection (a)(2).

21       (4) TERMINATION OF ASSISTANCE PROGRAMS.—

22 Upon termination of assistance to a country under chapter  
23 1 or 10 of part I or chapter 4 of part II (as the case  
24 may be), any unencumbered balances of funds which re-  
25 main in a separate account established pursuant to sub-

1 section (a) shall be disposed of for such purposes as may  
2 be agreed to by the government of that country and the  
3 United States Government.

4 (5) REPORTING REQUIREMENT.—The Administrator  
5 of the United States Agency for International Develop-  
6 ment shall report on an annual basis as part of the jus-  
7 tification documents submitted to the Committees on Ap-  
8 propriations on the use of local currencies for the adminis-  
9 trative requirements of the United States Government as  
10 authorized in subsection (a)(2)(B), and such report shall  
11 include the amount of local currency (and United States  
12 dollar equivalent) used and/or to be used for such purpose  
13 in each applicable country.

14 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—  
15 (1) If assistance is made available to the government of  
16 a foreign country, under chapter 1 or 10 of part I or chap-  
17 ter 4 of part II of the Foreign Assistance Act of 1961,  
18 as cash transfer assistance or as nonproject sector assist-  
19 ance, that country shall be required to maintain such  
20 funds in a separate account and not commingle them with  
21 any other funds.

22 (2) APPLICABILITY OF OTHER PROVISIONS OF  
23 LAW.—Such funds may be obligated and expended not-  
24 withstanding provisions of law which are inconsistent with  
25 the nature of this assistance including provisions which

1 are referenced in the Joint Explanatory Statement of the  
2 Committee of Conference accompanying House Joint Res-  
3 olution 648 (House Report No. 98–1159).

4 (3) NOTIFICATION.—At least 15 days prior to obli-  
5 gating any such cash transfer or nonproject sector assist-  
6 ance, the President shall submit a notification through the  
7 regular notification procedures of the Committees on Ap-  
8 propriations, which shall include a detailed description of  
9 how the funds proposed to be made available will be used,  
10 with a discussion of the United States interests that will  
11 be served by the assistance (including, as appropriate, a  
12 description of the economic policy reforms that will be pro-  
13 moted by such assistance).

14 (4) EXEMPTION.—Nonproject sector assistance funds  
15 may be exempt from the requirements of subsection (b)(1)  
16 only through the notification procedures of the Commit-  
17 tees on Appropriations.

18 COMPENSATION FOR UNITED STATES EXECUTIVE  
19 DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

20 SEC. 530. (a) No funds appropriated by this Act may  
21 be made as payment to any international financial institu-  
22 tion while the United States Executive Director to such  
23 institution is compensated by the institution at a rate  
24 which, together with whatever compensation such Director  
25 receives from the United States, is in excess of the rate  
26 provided for an individual occupying a position at level IV



1 of the Executive Schedule under section 5315 of title 5,  
2 United States Code, or while any alternate United States  
3 Director to such institution is compensated by the institu-  
4 tion at a rate in excess of the rate provided for an indi-  
5 vidual occupying a position at level V of the Executive  
6 Schedule under section 5316 of title 5, United States  
7 Code.

8 (b) For purposes of this section, “international finan-  
9 cial institutions” are: the International Bank for Recon-  
10 struction and Development, the Inter-American Develop-  
11 ment Bank, the Asian Development Bank, the Asian De-  
12 velopment Fund, the African Development Bank, the Afri-  
13 can Development Fund, the International Monetary Fund,  
14 the North American Development Bank, and the Euro-  
15 pean Bank for Reconstruction and Development.

16 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST  
17 IRAQ

18 SEC. 531. None of the funds appropriated or other-  
19 wise made available pursuant to this Act to carry out the  
20 Foreign Assistance Act of 1961 (including title IV of  
21 chapter 2 of part I, relating to the Overseas Private In-  
22 vestment Corporation) or the Arms Export Control Act  
23 may be used to provide assistance to any country that is  
24 not in compliance with the United Nations Security Coun-  
25 cil sanctions against Iraq unless the President determines  
26 and so certifies to the Congress that—

1           (1) such assistance is in the national interest of  
2       the United States;

3           (2) such assistance will directly benefit the  
4       needy people in that country; or

5           (3) the assistance to be provided will be human-  
6       itarian assistance for foreign nationals who have fled  
7       Iraq and Kuwait.

8       AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN  
9       FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION

10       SEC. 532. Unless expressly provided to the contrary,  
11       provisions of this or any other Act, including provisions  
12       contained in prior Acts authorizing or making appropria-  
13       tions for foreign operations, export financing, and related  
14       programs, shall not be construed to prohibit activities au-  
15       thorized by or conducted under the Peace Corps Act, the  
16       Inter-American Foundation Act or the African Develop-  
17       ment Foundation Act. The agency shall promptly report  
18       to the Committees on Appropriations whenever it is con-  
19       ducting activities or is proposing to conduct activities in  
20       a country for which assistance is prohibited.

21       IMPACT ON JOBS IN THE UNITED STATES

22       SEC. 533. None of the funds appropriated by this Act  
23       may be obligated or expended to provide—

24           (a) any financial incentive to a business enter-  
25       prise currently located in the United States for the  
26       purpose of inducing such an enterprise to relocate

1 outside the United States if such incentive or in-  
2 ducement is likely to reduce the number of employ-  
3 ees of such business enterprise in the United States  
4 because United States production is being replaced  
5 by such enterprise outside the United States; or

6 (b) assistance for any project or activity that  
7 contributes to the violation of internationally recog-  
8 nized workers rights, as defined in section 502(a)(4)  
9 of the Trade Act of 1974, of workers in the recipient  
10 country, including any designated zone or area in  
11 that country: *Provided*, That in recognition that the  
12 application of this subsection should be commensu-  
13 rate with the level of development of the recipient  
14 country and sector, the provisions of this subsection  
15 shall not preclude assistance for the informal sector  
16 in such country, micro and small-scale enterprise,  
17 and smallholder agriculture.

18 SPECIAL AUTHORITIES

19 SEC. 534. (a) AFGHANISTAN, LEBANON, MONTE-  
20 NEGRO, VICTIMS OF WAR, DISPLACED CHILDREN, AND  
21 DISPLACED BURMESE.—Funds appropriated in titles I  
22 and II of this Act that are made available for Afghanistan,  
23 Lebanon, Montenegro, and for victims of war, displaced  
24 children, and displaced Burmese, may be made available  
25 notwithstanding any other provision of law: *Provided*,  
26 That any such funds that are made available for Cam-

1 bodia shall be subject to the provisions of section 531(e)  
2 of the Foreign Assistance Act of 1961 and section 906  
3 of the International Security and Development Coopera-  
4 tion Act of 1985: *Provided further*, That section 576 of  
5 the Foreign Operations, Export Financing, and Related  
6 Programs Appropriations Act, 1997, as amended, shall  
7 not apply to the provision of loans and assistance to the  
8 Federal Republic of Yugoslavia through international fi-  
9 nancial institutions.

10 (b) TROPICAL FORESTRY AND BIODIVERSITY CON-  
11 SERVATION ACTIVITIES.—Funds appropriated by this Act  
12 to carry out the provisions of sections 103 through 106,  
13 and chapter 4 of part II, of the Foreign Assistance Act  
14 of 1961 may be used, notwithstanding any other provision  
15 of law, for the purpose of supporting tropical forestry and  
16 biodiversity conservation activities and, subject to the reg-  
17 ular notification procedures of the Committees on Appro-  
18 priations, energy programs aimed at reducing greenhouse  
19 gas emissions: *Provided*, That such assistance shall be  
20 subject to sections 116, 502B, and 620A of the Foreign  
21 Assistance Act of 1961.

22 (c) PERSONAL SERVICES CONTRACTORS.—Funds ap-  
23 propriated by this Act to carry out chapter 1 of part I,  
24 chapter 4 of part II, and section 667 of the Foreign As-  
25 sistance Act of 1961, and title II of the Agricultural Trade

1 Development and Assistance Act of 1954, may be used  
2 by the United States Agency for International Develop-  
3 ment to employ up to 25 personal services contractors in  
4 the United States, notwithstanding any other provision of  
5 law, for the purpose of providing direct, interim support  
6 for new or expanded overseas programs and activities and  
7 managed by the agency until permanent direct hire per-  
8 sonnel are hired and trained: *Provided*, That not more  
9 than 10 of such contractors shall be assigned to any bu-  
10 reau or office: *Provided further*, That such funds appro-  
11 priated to carry out the Foreign Assistance Act of 1961  
12 may be made available for personal services contractors  
13 assigned only to the Office of Health and Nutrition; the  
14 Office of Procurement; the Bureau for Africa; the Bureau  
15 for Latin America and the Caribbean; and the Bureau for  
16 Asia and the Near East: *Provided further*, That such funds  
17 appropriated to carry out title II of the Agricultural Trade  
18 Development and Assistance Act of 1954, may be made  
19 available only for personal services contractors assigned  
20 to the Office of Food for Peace.

21 (d)(1) WAIVER.—The President may waive the provi-  
22 sions of section 1003 of Public Law 100–204 if the Presi-  
23 dent determines and certifies in writing to the Speaker  
24 of the House of Representatives and the President pro

1 tempore of the Senate that it is important to the national  
2 security interests of the United States.

3 (2) PERIOD OF APPLICATION OF WAIVER.—Any  
4 waiver pursuant to paragraph (1) shall be effective for no  
5 more than a period of 6 months at a time and shall not  
6 apply beyond 12 months after the enactment of this Act.

7 (e) During fiscal year 2002, the President may use  
8 up to \$50,000,000 under the authority of section 451 of  
9 the Foreign Assistance Act, notwithstanding the funding  
10 ceiling in section 451(a).

11 POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT  
12 OF ISRAEL AND NORMALIZING RELATIONS WITH ISRAEL

13 SEC. 535. It is the sense of the Congress that—

14 (1) the Arab League countries should imme-  
15 diately and publicly renounce the primary boycott of  
16 Israel and the secondary and tertiary boycott of  
17 American firms that have commercial ties with  
18 Israel and should normalize their relations with  
19 Israel;

20 (2) the decision by the Arab League in 1997 to  
21 reinstate the boycott against Israel was deeply trou-  
22 bling and disappointing;

23 (3) the fact that only three Arab countries  
24 maintain full diplomatic relations with Israel is also  
25 of deep concern;

1           (4) the Arab League should immediately re-  
2       scind its decision on the boycott and its members  
3       should develop normal relations with their neighbor  
4       Israel; and

5           (5) the President should—

6                (A) take more concrete steps to encourage  
7       vigorous Arab League countries to renounce  
8       publicly the primary boycotts of Israel and the  
9       secondary and tertiary boycotts of American  
10      firms that have commercial relations with Israel  
11      and to normalize their relations with Israel;

12              (B) take into consideration the participa-  
13      tion of any recipient country in the primary  
14      boycott of Israel and the secondary and tertiary  
15      boycotts of American firms that have commer-  
16      cial relations with Israel when determining  
17      whether to sell weapons to said country;

18              (C) report to Congress annually on the  
19      specific steps being taken by the United States  
20      and the progress achieved to bring about a pub-  
21      lic renunciation of the Arab primary boycott of  
22      Israel and the secondary and tertiary boycotts  
23      of American firms that have commercial rela-  
24      tions with Israel and to expand the process of

1           normalizing ties between Arab League countries  
2           and Israel; and

3           (D) encourage the allies and trading part-  
4           ners of the United States to enact laws prohib-  
5           iting businesses from complying with the boy-  
6           cott and penalizing businesses that do comply.

7           ADMINISTRATION OF JUSTICE ACTIVITIES

8           SEC. 536. Of the funds appropriated or otherwise  
9           made available by this Act for “Economic Support Fund”,  
10          assistance may be provided to strengthen the administra-  
11          tion of justice in countries in Latin America and the Car-  
12          ibbean and in other regions consistent with the provisions  
13          of section 534(b) of the Foreign Assistance Act of 1961,  
14          except that programs to enhance protection of participants  
15          in judicial cases may be conducted notwithstanding section  
16          660 of that Act. Funds made available pursuant to this  
17          section may be made available notwithstanding section  
18          534(c) and the second and third sentences of section  
19          534(e) of the Foreign Assistance Act of 1961.

20                           ELIGIBILITY FOR ASSISTANCE

21          SEC. 537. (a) ASSISTANCE THROUGH NONGOVERN-  
22          MENTAL ORGANIZATIONS.—Restrictions contained in this  
23          or any other Act with respect to assistance for a country  
24          shall not be construed to restrict assistance in support of  
25          programs of nongovernmental organizations from funds  
26          appropriated by this Act to carry out the provisions of



1 chapters 1, 10, 11, and 12 of part I and chapter 4 of  
2 part II of the Foreign Assistance Act of 1961, and from  
3 funds appropriated under the heading “Assistance for  
4 Eastern Europe and the Baltic States”: *Provided*, That  
5 the President shall take into consideration, in any case  
6 in which a restriction on assistance would be applicable  
7 but for this subsection, whether assistance in support of  
8 programs of nongovernmental organizations is in the na-  
9 tional interest of the United States: *Provided further*, That  
10 before using the authority of this subsection to furnish as-  
11 sistance in support of programs of nongovernmental orga-  
12 nizations, the President shall notify the Committees on  
13 Appropriations under the regular notification procedures  
14 of those committees, including a description of the pro-  
15 gram to be assisted, the assistance to be provided, and  
16 the reasons for furnishing such assistance: *Provided fur-*  
17 *ther*, That nothing in this subsection shall be construed  
18 to alter any existing statutory prohibitions against abor-  
19 tion or involuntary sterilizations contained in this or any  
20 other Act.

21 (b) PUBLIC LAW 480.—During fiscal year 2002, re-  
22 strictions contained in this or any other Act with respect  
23 to assistance for a country shall not be construed to re-  
24 strict assistance under the Agricultural Trade Develop-  
25 ment and Assistance Act of 1954: *Provided*, That none

1 of the funds appropriated to carry out title I of such Act  
2 and made available pursuant to this subsection may be  
3 obligated or expended except as provided through the reg-  
4 ular notification procedures of the Committees on Appro-  
5 priations.

6 (c) EXCEPTION.—This section shall not apply—

7 (1) with respect to section 620A of the Foreign  
8 Assistance Act of 1961 or any comparable provision  
9 of law prohibiting assistance to countries that sup-  
10 port international terrorism; or

11 (2) with respect to section 116 of the Foreign  
12 Assistance Act of 1961 or any comparable provision  
13 of law prohibiting assistance to the government of a  
14 country that violate internationally recognized  
15 human rights.

16 EARMARKS

17 SEC. 538. (a) Funds appropriated by this Act which  
18 are earmarked may be reprogrammed for other programs  
19 within the same account notwithstanding the earmark if  
20 compliance with the earmark is made impossible by oper-  
21 ation of any provision of this or any other Act: *Provided*,  
22 That any such reprogramming shall be subject to the reg-  
23 ular notification procedures of the Committees on Appro-  
24 priations: *Provided further*, That assistance that is repro-  
25 grammed pursuant to this subsection shall be made avail-

1 able under the same terms and conditions as originally  
2 provided.

3 (b) In addition to the authority contained in sub-  
4 section (a), the original period of availability of funds ap-  
5 propriated by this Act and administered by the United  
6 States Agency for International Development that are ear-  
7 marked for particular programs or activities by this or any  
8 other Act shall be extended for an additional fiscal year  
9 if the Administrator of such agency determines and re-  
10 ports promptly to the Committees on Appropriations that  
11 the termination of assistance to a country or a significant  
12 change in circumstances makes it unlikely that such ear-  
13 marked funds can be obligated during the original period  
14 of availability: *Provided*, That such earmarked funds that  
15 are continued available for an additional fiscal year shall  
16 be obligated only for the purpose of such earmark.

17 CEILINGS AND EARMARKS

18 SEC. 539. Ceilings and earmarks contained in this  
19 Act shall not be applicable to funds or authorities appro-  
20 priated or otherwise made available by any subsequent Act  
21 unless such Act specifically so directs. Earmarks or min-  
22 imum funding requirements contained in any other Act  
23 shall not be applicable to funds appropriated by this Act.

24 PROHIBITION ON PUBLICITY OR PROPAGANDA

25 SEC. 540. No part of any appropriation contained in  
26 this Act shall be used for publicity or propaganda purposes

1 within the United States not authorized before the date  
2 of the enactment of this Act by the Congress: *Provided*,  
3 That not to exceed \$750,000 may be made available to  
4 carry out the provisions of section 316 of Public Law 96–  
5 533.

6 PURCHASE OF AMERICAN-MADE EQUIPMENT AND  
7 PRODUCTS

8 SEC. 541. To the maximum extent possible, assist-  
9 ance provided under this Act should make full use of  
10 American resources, including commodities, products, and  
11 services.

12 PROHIBITION OF PAYMENTS TO UNITED NATIONS  
13 MEMBERS

14 SEC. 542. None of the funds appropriated or made  
15 available pursuant to this Act for carrying out the Foreign  
16 Assistance Act of 1961, may be used to pay in whole or  
17 in part any assessments, arrearages, or dues of any mem-  
18 ber of the United Nations or, from funds appropriated by  
19 this Act to carry out chapter 1 of part I of the Foreign  
20 Assistance Act of 1961, the costs for participation of an-  
21 other country's delegation at international conferences  
22 held under the auspices of multilateral or international or-  
23 ganizations.

24 NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

25 SEC. 543. None of the funds appropriated or made  
26 available pursuant to this Act shall be available to a non-

1 governmental organization which fails to provide upon  
2 timely request any document, file, or record necessary to  
3 the auditing requirements of the United States Agency for  
4 International Development.

5 PROHIBITION ON ASSISTANCE TO FOREIGN GOVERN-  
6 MENTS THAT EXPORT LETHAL MILITARY EQUIP-  
7 MENT TO COUNTRIES SUPPORTING INTERNATIONAL  
8 TERRORISM

9 SEC. 544. (a) None of the funds appropriated or oth-  
10 erwise made available by this Act may be available to any  
11 foreign government which provides lethal military equip-  
12 ment to a country the government of which the Secretary  
13 of State has determined is a terrorist government for pur-  
14 poses of section 6(j) of the Export Administration Act.  
15 The prohibition under this section with respect to a for-  
16 eign government shall terminate 12 months after that gov-  
17 ernment ceases to provide such military equipment. This  
18 section applies with respect to lethal military equipment  
19 provided under a contract entered into after October 1,  
20 1997.

21 (b) Assistance restricted by subsection (a) or any  
22 other similar provision of law, may be furnished if the  
23 President determines that furnishing such assistance is  
24 important to the national interests of the United States.

25 (c) Whenever the waiver of subsection (b) is exer-  
26 cised, the President shall submit to the appropriate con-

1 gressional committees a report with respect to the fur-  
2 nishing of such assistance. Any such report shall include  
3 a detailed explanation of the assistance to be provided, in-  
4 cluding the estimated dollar amount of such assistance,  
5 and an explanation of how the assistance furthers United  
6 States national interests.

7       WITHHOLDING OF ASSISTANCE FOR PARKING FINES  
8                       OWED BY FOREIGN COUNTRIES

9       SEC. 545. (a) IN GENERAL.—Of the funds made  
10 available for a foreign country under part I of the Foreign  
11 Assistance Act of 1961, an amount equivalent to 110 per-  
12 cent of the total unpaid fully adjudicated parking fines  
13 and penalties owed to the District of Columbia by such  
14 country as of the date of the enactment of this Act shall  
15 be withheld from obligation for such country until the Sec-  
16 retary of State certifies and reports in writing to the ap-  
17 propriate congressional committees that such fines and  
18 penalties are fully paid to the government of the District  
19 of Columbia.

20       (b) DEFINITION.—For purposes of this section, the  
21 term “appropriate congressional committees” means the  
22 Committee on Foreign Relations and the Committee on  
23 Appropriations of the Senate and the Committee on Inter-  
24 national Relations and the Committee on Appropriations  
25 of the House of Representatives.

17 WAR CRIMES TRIBUNALS DRAWDOWN

**HR 2506 RH**

1 missions as the Council may establish to deal with such  
 2 violations, without regard to the ceiling limitation con-  
 3 tained in paragraph (2) thereof: *Provided*, That the deter-  
 4 mination required under this section shall be in lieu of  
 5 any determinations otherwise required under section  
 6 552(c): *Provided further*, That the drawdown made under  
 7 this section for any tribunal shall not be construed as an  
 8 endorsement or precedent for the establishment of any  
 9 standing or permanent international criminal tribunal or  
 10 court: *Provided further*, That funds made available for tri-  
 11 bunals other than Yugoslavia or Rwanda shall be made  
 12 available subject to the regular notification procedures of  
 13 the Committees on Appropriations.

#### 14 LANDMINES

15 SEC. 548. Notwithstanding any other provision of  
 16 law, demining equipment available to the United States  
 17 Agency for International Development and the Depart-  
 18 ment of State and used in support of the clearance of  
 19 landmines and unexploded ordnance for humanitarian  
 20 purposes may be disposed of on a grant basis in foreign  
 21 countries, subject to such terms and conditions as the  
 22 President may prescribe.

#### 23 RESTRICTIONS CONCERNING THE PALESTINIAN

#### 24 AUTHORITY

25 SEC. 549. None of the funds appropriated by this Act  
 26 may be obligated or expended to create in any part of Je-



1   Jerusalem a new office of any department or agency of the  
2   United States Government for the purpose of conducting  
3   official United States Government business with the Pal-  
4   estinian Authority over Gaza and Jericho or any successor  
5   Palestinian governing entity provided for in the Israel-  
6   PLO Declaration of Principles: *Provided*, That this re-  
7   striction shall not apply to the acquisition of additional  
8   space for the existing Consulate General in Jerusalem:  
9   *Provided further*, That meetings between officers and em-  
10   ployees of the United States and officials of the Pales-  
11   tinian Authority, or any successor Palestinian governing  
12   entity provided for in the Israel-PLO Declaration of Prin-  
13   ciples, for the purpose of conducting official United States  
14   Government business with such authority should continue  
15   to take place in locations other than Jerusalem. As has  
16   been true in the past, officers and employees of the United  
17   States Government may continue to meet in Jerusalem on  
18   other subjects with Palestinians (including those who now  
19   occupy positions in the Palestinian Authority), have social  
20   contacts, and have incidental discussions.

21       PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

22       SEC. 550. None of the funds appropriated or other-  
23   wise made available by this Act under the heading “Inter-  
24   national Military Education and Training” or “Foreign  
25   Military Financing Program” for Informational Program  
26   activities or under the headings “Child Survival and

1 Health Programs Fund”, “Development Assistance”, and  
2 “Economic Support Fund” may be obligated or expended  
3 to pay for—

4 (1) alcoholic beverages; or

5 (2) entertainment expenses for activities that  
6 are substantially of a recreational character, includ-  
7 ing entrance fees at sporting events and amusement  
8 parks.

9 SPECIAL DEBT RELIEF FOR THE POOREST

10 SEC. 551. (a) AUTHORITY TO REDUCE DEBT.—The  
11 President may reduce amounts owed to the United States  
12 (or any agency of the United States) by an eligible country  
13 as a result of—

14 (1) guarantees issued under sections 221 and  
15 222 of the Foreign Assistance Act of 1961;

16 (2) credits extended or guarantees issued under  
17 the Arms Export Control Act; or

18 (3) any obligation or portion of such obligation,  
19 to pay for purchases of United States agricultural  
20 commodities guaranteed by the Commodity Credit  
21 Corporation under export credit guarantee programs  
22 authorized pursuant to section 5(f) of the Com-  
23modity Credit Corporation Charter Act of June 29,  
24 1948, as amended, section 4(b) of the Food for  
25 Peace Act of 1966, as amended (Public Law 89–

1       808), or section 202 of the Agricultural Trade Act  
2       of 1978, as amended (Public Law 95–501).

3       (b) LIMITATIONS.—

4           (1) The authority provided by subsection (a)  
5       may be exercised only to implement multilateral offi-  
6       cial debt relief and referendum agreements, com-  
7       monly referred to as “Paris Club Agreed Minutes”.

8           (2) The authority provided by subsection (a)  
9       may be exercised only in such amounts or to such  
10      extent as is provided in advance by appropriations  
11      Acts.

12          (3) The authority provided by subsection (a)  
13      may be exercised only with respect to countries with  
14      heavy debt burdens that are eligible to borrow from  
15      the International Development Association, but not  
16      from the International Bank for Reconstruction and  
17      Development, commonly referred to as “IDA-only”  
18      countries.

19      (c) CONDITIONS.—The authority provided by sub-  
20      section (a) may be exercised only with respect to a country  
21      whose government—

22          (1) does not have an excessive level of military  
23      expenditures;

24          (2) has not repeatedly provided support for acts  
25      of international terrorism;

1           (3) is not failing to cooperate on international  
2       narcotics control matters;

3           (4) (including its military or other security  
4       forces) does not engage in a consistent pattern of  
5       gross violations of internationally recognized human  
6       rights; and

7           (5) is not ineligible for assistance because of the  
8       application of section 527 of the Foreign Relations  
9       Authorization Act, Fiscal Years 1994 and 1995.

10       (d) AVAILABILITY OF FUNDS.—The authority pro-  
11      vided by subsection (a) may be used only with regard to  
12      funds appropriated by this Act under the heading “Debt  
13      Restructuring”.

14       (e) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-  
15      duction of debt pursuant to subsection (a) shall not be  
16      considered assistance for purposes of any provision of law  
17      limiting assistance to a country. The authority provided  
18      by subsection (a) may be exercised notwithstanding sec-  
19      tion 620(r) of the Foreign Assistance Act of 1961 or sec-  
20      tion 321 of the International Development and Food As-  
21      sistance Act of 1975.

22      AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

23       SEC. 552. (a) LOANS ELIGIBLE FOR SALE, REDUC-  
24      TION, OR CANCELLATION.—

25           (1) AUTHORITY TO SELL, REDUCE, OR CANCEL  
26      CERTAIN LOANS.—Notwithstanding any other provi-

1 sion of law, the President may, in accordance with  
2 this section, sell to any eligible purchaser any  
3 concessional loan or portion thereof made before  
4 January 1, 1995, pursuant to the Foreign Assist-  
5 ance Act of 1961, to the government of any eligible  
6 country as defined in section 702(6) of that Act or  
7 on receipt of payment from an eligible purchaser, re-  
8 duce or cancel such loan or portion thereof, only for  
9 the purpose of facilitating—

10 (A) debt-for-equity swaps, debt-for-develop-  
11 ment swaps, or debt-for-nature swaps; or

12 (B) a debt buyback by an eligible country  
13 of its own qualified debt, only if the eligible  
14 country uses an additional amount of the local  
15 currency of the eligible country, equal to not  
16 less than 40 percent of the price paid for such  
17 debt by such eligible country, or the difference  
18 between the price paid for such debt and the  
19 face value of such debt, to support activities  
20 that link conservation and sustainable use of  
21 natural resources with local community develop-  
22 ment, and child survival and other child devel-  
23 opment, in a manner consistent with sections  
24 707 through 710 of the Foreign Assistance Act  
25 of 1961, if the sale, reduction, or cancellation

1           would not contravene any term or condition of  
2           any prior agreement relating to such loan.

3           (2) TERMS AND CONDITIONS.—Notwithstanding  
4           any other provision of law, the President shall, in ac-  
5           cordance with this section, establish the terms and  
6           conditions under which loans may be sold, reduced,  
7           or canceled pursuant to this section.

8           (3) ADMINISTRATION.—The Facility, as defined  
9           in section 702(8) of the Foreign Assistance Act of  
10          1961, shall notify the administrator of the agency  
11          primarily responsible for administering part I of the  
12          Foreign Assistance Act of 1961 of purchasers that  
13          the President has determined to be eligible, and  
14          shall direct such agency to carry out the sale, reduc-  
15          tion, or cancellation of a loan pursuant to this sec-  
16          tion. Such agency shall make an adjustment in its  
17          accounts to reflect the sale, reduction, or cancella-  
18          tion.

19          (4) LIMITATION.—The authorities of this sub-  
20          section shall be available only to the extent that ap-  
21          propriations for the cost of the modification, as de-  
22          fined in section 502 of the Congressional Budget Act  
23          of 1974, are made in advance.

24          (b) DEPOSIT OF PROCEEDS.—The proceeds from the  
25          sale, reduction, or cancellation of any loan sold, reduced,

1 or canceled pursuant to this section shall be deposited in  
 2 the United States Government account or accounts estab-  
 3 lished for the repayment of such loan.

4 (c) ELIGIBLE PURCHASERS.—A loan may be sold  
 5 pursuant to subsection (a)(1)(A) only to a purchaser who  
 6 presents plans satisfactory to the President for using the  
 7 loan for the purpose of engaging in debt-for-equity swaps,  
 8 debt-for-development swaps, or debt-for-nature swaps.

9 (d) DEBTOR CONSULTATIONS.—Before the sale to  
 10 any eligible purchaser, or any reduction or cancellation  
 11 pursuant to this section, of any loan made to an eligible  
 12 country, the President should consult with the country  
 13 concerning the amount of loans to be sold, reduced, or  
 14 canceled and their uses for debt-for-equity swaps, debt-  
 15 for-development swaps, or debt-for-nature swaps.

16 (e) AVAILABILITY OF FUNDS.—The authority pro-  
 17 vided by subsection (a) may be used only with regard to  
 18 funds appropriated by this Act under the heading “Debt  
 19 Restructuring”.

20 RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO  
 21 UNITED NATIONS AGENCIES

22 SEC. 553. (a) PROHIBITION ON VOLUNTARY CON-  
 23 TRIBUTIONS FOR THE UNITED NATIONS.—None of the  
 24 funds appropriated by this Act may be made available to  
 25 pay any voluntary contribution of the United States to the  
 26 United Nations (including the United Nations Develop-

1 ment Program) if the United Nations implements or im-  
 2 poses any taxation on any United States persons.

3 (b) CERTIFICATION REQUIRED FOR DISBURSEMENT  
 4 OF FUNDS.—None of the funds appropriated by this Act  
 5 may be made available to pay any voluntary contribution  
 6 of the United States to the United Nations (including the  
 7 United Nations Development Program) unless the Presi-  
 8 dent certifies to the Congress 15 days in advance of such  
 9 payment that the United Nations is not engaged in any  
 10 effort to implement or impose any taxation on United  
 11 States persons in order to raise revenue for the United  
 12 Nations or any of its specialized agencies.

13 (c) DEFINITIONS.—As used in this section the term  
 14 “United States person” refers to—

15 (1) a natural person who is a citizen or national  
 16 of the United States; or

17 (2) a corporation, partnership, or other legal  
 18 entity organized under the United States or any  
 19 State, territory, possession, or district of the United  
 20 States.

#### 21 HAITI COAST GUARD

22 SEC. 554. The Government of Haiti shall be eligible  
 23 to purchase defense articles and services under the Arms  
 24 Export Control Act (22 U.S.C. 2751 et seq.), for the Coast  
 25 Guard: *Provided*, That the authority provided by this sec-



tion shall be subject to the regular notification procedures of the Committees on Appropriations.

LIMITATION ON ASSISTANCE TO THE PALESTINIAN  
AUTHORITY

SEC. 555. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that waiving such prohibition is important to the national security interests of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

LIMITATION ON ASSISTANCE TO SECURITY FORCES

SEC. 556. None of the funds made available by this Act may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights, unless the Secretary determines and reports to the Committees on Appropriations that the government

1 of such country is taking effective measures to bring the  
2 responsible members of the security forces unit to justice:  
3 *Provided*, That nothing in this section shall be construed  
4 to withhold funds made available by this Act from any  
5 unit of the security forces of a foreign country not credibly  
6 alleged to be involved in gross violations of human rights:  
7 *Provided further*, That in the event that funds are withheld  
8 from any unit pursuant to this section, the Secretary of  
9 State shall promptly inform the foreign government of the  
10 basis for such action and shall, to the maximum extent  
11 practicable, assist the foreign government in taking effective  
12 measures to bring the responsible members of the security  
13 forces to justice.

14 DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS  
15 IN THE RUSSIAN FEDERATION

16 SEC. 557. None of the funds appropriated under this  
17 Act may be made available for the Government of the Russian  
18 Federation, after 180 days from the date of the enactment  
19 of this Act, unless the President determines and  
20 certifies in writing to the Committees on Appropriations  
21 and the Committee on Foreign Relations of the Senate  
22 that the Government of the Russian Federation has implemented  
23 no statute, executive order, regulation or similar  
24 government action that would discriminate, or would have  
25 as its principal effect discrimination, against religious  
26 groups or religious communities in the Russian Federation

1 in violation of accepted international agreements on  
2 human rights and religious freedoms to which the Russian  
3 Federation is a party.

4 ASSISTANCE FOR THE MIDDLE EAST

5 SEC. 558. Of the funds appropriated in titles II and  
6 III of this Act under the headings “Economic Support  
7 Fund”, “Foreign Military Financing Program”, “Inter-  
8 national Military Education and Training”, “Peace-  
9 keeping Operations”, for refugees resettling in Israel  
10 under the heading “Migration and Refugee Assistance”,  
11 and for assistance for Israel to carry out provisions of  
12 chapter 8 of part II of the Foreign Assistance Act of 1961  
13 under the heading “Nonproliferation, Anti-Terrorism,  
14 Demining and Related Programs”, not more than a total  
15 of \$5,141,150,000 may be made available for Israel,  
16 Egypt, Jordan, Lebanon, the West Bank and Gaza, the  
17 Israel-Lebanon Monitoring Group, the Multinational  
18 Force and Observers, the Middle East Regional Democ-  
19 racy Fund, Middle East Regional Cooperation, and Middle  
20 East Multilateral Working Groups: *Provided*, That any  
21 funds that were appropriated under such headings in prior  
22 fiscal years and that were at the time of the enactment  
23 of this Act obligated or allocated for other recipients may  
24 not during fiscal year 2002 be made available for activities  
25 that, if funded under this Act, would be required to count  
26 against this ceiling: *Provided further*, That funds may be

1 made available notwithstanding the requirements of this  
2 section if the President determines and certifies to the  
3 Committees on Appropriations that it is important to the  
4 national security interest of the United States to do so  
5 and any such additional funds shall only be provided  
6 through the regular notification procedures of the Com-  
7 mittees on Appropriations.

8 ENTERPRISE FUND RESTRICTIONS

9 SEC. 559. Prior to the distribution of any assets re-  
10 sulting from any liquidation, dissolution, or winding up  
11 of an Enterprise Fund, in whole or in part, the President  
12 shall submit to the Committees on Appropriations, in ac-  
13 cordance with the regular notification procedures of the  
14 Committees on Appropriations, a plan for the distribution  
15 of the assets of the Enterprise Fund.

16 CAMBODIA

17 SEC. 560. (a) The Secretary of the Treasury should  
18 instruct the United States executive directors of the inter-  
19 national financial institutions to use the voice and vote  
20 of the United States to oppose loans to the Central Gov-  
21 ernment of Cambodia, except loans to support basic  
22 human needs.

23 (b) None of the funds appropriated by this Act may  
24 be made available for assistance (except for assistance for  
25 basic education) for the Central Government of Cambodia.

## 1 FOREIGN MILITARY TRAINING REPORT

2 SEC. 561. (a) The Secretary of Defense and the Sec-  
3 retary of State shall jointly provide to the Congress by  
4 March 1, 2002, a report on all military training provided  
5 to foreign military personnel (excluding sales, and exclud-  
6 ing training provided to the military personnel of countries  
7 belonging to the North Atlantic Treaty Organization)  
8 under programs administered by the Department of De-  
9 fense and the Department of State during fiscal years  
10 2001 and 2002, including those proposed for fiscal year  
11 2002. This report shall include, for each such military  
12 training activity, the foreign policy justification and pur-  
13 pose for the training activity, the cost of the training activ-  
14 ity, the number of foreign students trained and their units  
15 of operation, and the location of the training. In addition,  
16 this report shall also include, with respect to United States  
17 personnel, the operational benefits to United States forces  
18 derived from each such training activity and the United  
19 States military units involved in each such training activ-  
20 ity. This report may include a classified annex if deemed  
21 necessary and appropriate.

22 (b) For purposes of this section a report to Congress  
23 shall be deemed to mean a report to the Appropriations  
24 and Foreign Relations Committees of the Senate and the

1 Appropriations and International Relations Committees of  
2 the House of Representatives.

3 KOREAN PENINSULA ENERGY DEVELOPMENT

4 ORGANIZATION

5 SEC. 562. (a) Of the funds made available under the  
6 heading “Nonproliferation, Anti-terrorism, Demining and  
7 Related Programs”, not to exceed \$95,000,000 may be  
8 made available for the Korean Peninsula Energy Develop-  
9 ment Organization (hereafter referred to in this section  
10 as “KEDO”), notwithstanding any other provision of law,  
11 only for the administrative expenses and heavy fuel oil  
12 costs associated with the Agreed Framework.

13 (b) Such funds may be made available for KEDO  
14 only if, 15 days prior to such obligation of funds, the  
15 President certifies and so reports to Congress that—

16 (1) the parties to the Agreed Framework have  
17 taken and continue to take demonstrable steps to  
18 implement the Joint Declaration on  
19 Denuclearization of the Korean Peninsula;

20 (2) North Korea is complying with all provi-  
21 sions of the Agreed Framework; and

22 (3) the United States is continuing to make sig-  
23 nificant progress on eliminating the North Korean  
24 ballistic missile threat, including further missile tests  
25 and its ballistic missile exports.

1 (c) The President may waive the certification require-  
2 ments of subsection (b) if the President determines that  
3 it is vital to the national security interests of the United  
4 States and provides written policy justifications to the ap-  
5 propriate congressional committees. No funds may be obli-  
6 gated for KEDO until 15 days after submission to Con-  
7 gress of such waiver.

8 (d) The Secretary of State shall, at the time of the  
9 annual presentation for appropriations, submit a report  
10 providing a full and detailed accounting of the fiscal year  
11 2003 request for the United States contribution to KEDO,  
12 the expected operating budget of KEDO, proposed annual  
13 costs associated with heavy fuel oil purchases, including  
14 unpaid debt, and the amount of funds pledged by other  
15 donor nations and organizations to support KEDO activi-  
16 ties on a per country basis, and other related activities.

17 (e) The final proviso under the heading “Inter-  
18 national Organizations and Programs” in the Foreign Op-  
19 erations, Export Financing, and Related Programs Appro-  
20 priations Act, 1996 (Public Law 104–107) is repealed.

21 PLO COMPLIANCE REPORT

22 SEC. 563. (a) REPORTING REQUIREMENT.—The  
23 President shall, at the time specified in subsection (b),  
24 submit a report to the Congress assessing the steps that  
25 the Palestine Liberation Organization (PLO), or the Pal-  
26 estinian Authority, as appropriate, has taken to comply

1 with its 1993 commitments to renounce the use of ter-  
2 rorism and all other acts of violence and to assume respon-  
3 sibility over all PLO or Palestinian Authority elements  
4 and personnel in order to assure their compliance, prevent  
5 violations, and discipline violators, including the arrest  
6 and prosecution of individuals involved in acts of terror  
7 and violence. The President shall determine, based on such  
8 assessment, whether the PLO or the Palestinian Author-  
9 ity, as appropriate, has substantially complied with such  
10 commitments. If the President determines based on the  
11 assessment that such compliance has not occurred, then  
12 the President shall, for a period of time of not less than  
13 six months, impose one or more of the following sanctions:

14           (1) Notwithstanding any other provision of law,  
15       the President shall withdraw or terminate any waiv-  
16       er by the President of the requirements of section  
17       1003 of the Foreign Relations Authorization Act of  
18       1988 and 1989 (22 U.S.C. 5202) (prohibiting the  
19       establishment or maintenance of a Palestinian infor-  
20       mation office in the United States), and such section  
21       shall apply so as to prohibit the operation of a PLO  
22       or Palestinian Authority office in the United States  
23       from carrying out any function other than those  
24       functions carried out by the Palestinian information  
25       office in existence prior to the Oslo Accords.



1           (2) The President shall designate the PLO, or  
2           one or more of its constituent groups (including  
3           Fatah and Tanzim) or groups operating as arms of  
4           the Palestinian Authority (including Force 17) as a  
5           foreign terrorist organization, in accordance with  
6           section 219(a) of the Immigration and Nationality  
7           Act.

8           (3) United States assistance (except humani-  
9           tarian assistance) shall not be provided for the West  
10          Bank and Gaza Program.

11          (b) SUBMISSION OF REPORT.—The report required  
12          under subsection (a) shall be transmitted not later than  
13          60 days after the date of enactment of this Act and shall  
14          cover the period commencing June 13, 2001.

15          (c) UPDATE OF REPORT.—The President shall up-  
16          date the report submitted pursuant to subsection (a) as  
17          part of the next report required under the PLO Commit-  
18          ments Compliance Act of 1989 (title VIII of Public Law  
19          101–246).

20          (d) WAIVER AUTHORITY.—The President may waive  
21          any or all of the sanctions imposed under subsection (a)  
22          if the President determines and reports to the appropriate  
23          committees of the Congress that such a waiver is in the  
24          national security interests of the United States.

1       PROHIBITION ON ASSISTANCE TO THE PALESTINIAN  
2                               BROADCASTING CORPORATION

3       SEC. 564. None of the funds appropriated or other-  
4 wise made available by this Act may be used to provide  
5 equipment, technical support, consulting services, or any  
6 other form of assistance to the Palestinian Broadcasting  
7 Corporation.

8                               IRAQ

9       SEC. 565. Notwithstanding any other provision of  
10 law, funds appropriated under the heading “Economic  
11 Support Fund” may be made available for programs bene-  
12 fitting the Iraqi people and to support efforts to bring  
13 about political transition in Iraq.

14                               KYOTO PROTOCOL

15       SEC. 566. None of the funds appropriated by this Act  
16 shall be used to propose or issue rules, regulations, de-  
17 crees, or orders for the purpose of implementation, or in  
18 preparation for implementation, of the Kyoto Protocol,  
19 which was adopted on December 11, 1997, in Kyoto,  
20 Japan, at the Third Conference of the Parties to the  
21 United States Framework Convention on Climate Change,  
22 which has not been submitted to the Senate for advice and  
23 consent to ratification pursuant to article II, section 2,  
24 clause 2, of the United States Constitution, and which has  
25 not entered into force pursuant to article 25 of the Pro-  
26 tocol.

## WEST BANK AND GAZA PROGRAM

SEC. 567. For fiscal year 2002, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the appropriate committees of Congress that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading “Economic Support Fund” for the West Bank and Gaza.

## INDONESIA

SEC. 568. (a) Funds appropriated by this Act under the headings “International Military Education and Training” and “Foreign Military Financing Program” may be made available for Indonesian Ministry of Defense or military personnel if the President determines and submits a report to the appropriate congressional committees that the Government of Indonesia and the Indonesian Armed Forces are—

(1) taking effective measures to bring to justice members of the armed forces and militia groups against whom there is credible evidence of human rights violations;

(2) taking effective measures to bring to justice members of the armed forces against whom there is

1 credible evidence of aiding or abetting militia  
2 groups;

3 (3) allowing displaced persons and refugees to  
4 return home to East Timor, including providing safe  
5 passage for refugees returning from West Timor;

6 (4) not impeding the activities of the United  
7 Nations Transitional Authority in East Timor;

8 (5) demonstrating a commitment to preventing  
9 incursions into East Timor by members of militia  
10 groups in West Timor; and

11 (6) demonstrating a commitment to account-  
12 ability by cooperating with investigations and pros-  
13 ecutions of members of the Indonesian Armed  
14 Forces and militia groups responsible for human  
15 rights violations in Indonesia and East Timor.

16 MAN AND THE BIOSPHERE

17 SEC. 569. None of the funds appropriated or other-  
18 wise made available by this Act may be provided for the  
19 United Nations Man and the Biosphere Program.

20 TAIWAN REPORTING REQUIREMENT

21 SEC. 570. Not less than 30 days prior to the next  
22 round of arms talks between the United States and Tai-  
23 wan, the President shall consult, on a classified basis, with  
24 appropriate Congressional leaders and committee chair-  
25 men and ranking members regarding the following mat-  
26 ters:

1           (1) Taiwan's requests for purchase of defense  
2       articles and defense services during the pending  
3       round of arms talks;

4           (2) the Administration's assessment of the le-  
5       gitimate defense needs of Taiwan, in light of Tai-  
6       wan's requests; and

7           (3) the decision-making process used by the Ex-  
8       ecutive branch to consider those requests.

9       RESTRICTIONS ON ASSISTANCE TO GOVERNMENTS

10                       DESTABILIZING SIERRA LEONE

11       SEC. 571. (a) None of the funds appropriated by this  
12   Act may be made available for assistance for the govern-  
13   ment of any country that the Secretary of State deter-  
14   mines there is credible evidence that such government has  
15   provided lethal or non-lethal military support or equip-  
16   ment, directly or through intermediaries, within the pre-  
17   vious 6 months to the Sierra Leone Revolutionary United  
18   Front (RUF), or any other group intent on destabilizing  
19   the democratically elected government of the Republic of  
20   Sierra Leone.

21       (b) None of the funds appropriated by this Act may  
22   be made available for assistance for the government of any  
23   country that the Secretary of State determines there is  
24   credible evidence that such government has aided or abet-  
25   ted, within the previous 6 months, in the illicit distribu-

1 tion, transportation, or sale of diamonds mined in Sierra  
2 Leone.

3 (c) Whenever the prohibition on assistance required  
4 under subsection (a) or (b) is exercised, the Secretary of  
5 State shall notify the Committees on Appropriations in a  
6 timely manner.

7 VOLUNTARY SEPARATION INCENTIVES

8 SEC. 572. Section 579(c)(2)(D) of the Foreign Oper-  
9 ations, Export Financing, and Related Programs Appro-  
10 priations Act, 2000, as enacted by section 1000(a)(2) of  
11 the Consolidated Appropriations Act, 2000 (Public Law  
12 106–113), as amended, is further amended by striking  
13 “December 31, 2001” and inserting in lieu thereof “De-  
14 cember 31, 2002”.

15 CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

16 SEC. 573. (a) LIMITATIONS ON AMOUNT OF CON-  
17 TRIBUTION.—Of the amounts made available under  
18 “International Organizations and Programs”, not more  
19 than \$25,000,000 for fiscal year 2002 shall be available  
20 for the United Nations Population Fund (hereafter in this  
21 subsection referred to as the “UNFPA”).

22 (b) PROHIBITION ON USE OF FUNDS IN CHINA.—  
23 None of the funds made available under “International  
24 Organizations and Programs” may be made available for  
25 the UNFPA for a country program in the People’s Repub-  
26 lic of China.

1 (c) CONDITIONS ON AVAILABILITY OF FUNDS.—  
2 Amounts made available under “International Organiza-  
3 tions and Programs” for fiscal year 2002 for the UNFPA  
4 may not be made available to UNFPA unless—

5 (1) the UNFPA maintains amounts made avail-  
6 able to the UNFPA under this section in an account  
7 separate from other accounts of the UNFPA;

8 (2) the UNFPA does not commingle amounts  
9 made available to the UNFPA under this section  
10 with other sums; and

11 (3) the UNFPA does not fund abortions.

12 (d) REPORT TO THE CONGRESS AND WITHHOLDING  
13 OF FUNDS.—

14 (1) Not later than February 15, 2002, the Sec-  
15 retary of State shall submit a report to the appro-  
16 priate congressional committees indicating the  
17 amount of funds that the United Nations Population  
18 Fund is budgeting for the year in which the report  
19 is submitted for a country program in the People’s  
20 Republic of China.

21 (2) If a report under subparagraph (A) indi-  
22 cates that the United Nations Population Fund  
23 plans to spend funds for a country program in the  
24 People’s Republic of China in the year covered by  
25 the report, then the amount of such funds that the

1 UNFPA plans to spend in the People's Republic of  
2 China shall be deducted from the funds made avail-  
3 able to the UNFPA after March 1 for obligation for  
4 the remainder of the fiscal year in which the report  
5 is submitted.

6 AMERICAN CHURCHWOMEN IN EL SALVADOR

7 SEC. 574. (a) Information relevant to the December  
8 2, 1980, murders of four American churchwomen in El  
9 Salvador shall be made public to the fullest extent pos-  
10 sible.

11 (b) The Secretary of State and the Department of  
12 State are to be commended for fully releasing information  
13 regarding the murders.

14 (c) The President shall order all Federal agencies and  
15 departments that process relevant information to make  
16 every effort to declassify and release to the victims' fami-  
17 lies relevant information as expeditiously as possible.

18 (d) In making determinations concerning the declas-  
19 sification and release of relevant information, the Federal  
20 agencies and departments shall presume in favor of releas-  
21 ing, rather than of withholding, such information.

22 PROCUREMENT AND FINANCIAL MANAGEMENT REFORM

23 SEC. 575. (a) FUNDING CONDITIONS.—Of the funds  
24 made available under the heading “International Financial  
25 Institutions” in this Act, 10 percent of the United States  
26 portion or payment to such International Financial Insti-



1   tution shall be withheld by the Secretary of the Treasury,  
2   until the Secretary certifies to the Committees on Appro-  
3   priations that, to the extent pertinent to its lending pro-  
4   grams, the institution is—

5           (1) Implementing procedures for conducting an-  
6           nual audits by qualified independent auditors for all  
7           new investment lending;

8           (2) Implementing procedures for annual inde-  
9           pendent external audits of central bank financial  
10          statements for countries making use of International  
11          Monetary Fund resources under new arrangements  
12          or agreements with the Fund;

13          (3) Taking steps to establish an independent  
14          fraud and corruption investigative organization or  
15          office;

16          (4) Implementing a process to assess a recipient  
17          country's procurement and financial management  
18          capabilities including an analysis of the risks of cor-  
19          ruption prior to initiating new investment lending;  
20          and

21          (5) Taking steps to fund and implement pro-  
22          grams and policies to improve transparency and  
23          anti-corruption programs and procurement and fi-  
24          nancial management controls in recipient countries.

1 (b) REPORT.—The Secretary of the Treasury shall  
2 report on March 1, 2002 to the Committees on Appropria-  
3 tions on progress made by each International Financial  
4 Institution, and, to the extent pertinent to its lending pro-  
5 grams, the International Monetary Fund, to fulfill the ob-  
6 jectives identified in subsection (a) and on progress of the  
7 International Monetary Fund to implement procedures for  
8 annual independent external audits of central bank finan-  
9 cial statements for countries making use of Fund re-  
10 sources under all new arrangements with the Fund.

11 (c) DEFINITIONS.—The term “International Finan-  
12 cial Institutions” means the International Bank for Re-  
13 construction and Development, the International Develop-  
14 ment Association, the International Finance Corporation,  
15 the Inter-American Development Bank, the Inter-Amer-  
16 ican Investment Corporation, the Enterprise for the Amer-  
17 icas Multilateral Investment Fund, the Asian Development  
18 Bank, the Asian Development Fund, the African Develop-  
19 ment Bank, the African Development Fund, the European  
20 Bank for Reconstruction and Development, and the Inter-  
21 national Monetary Fund.

22 COMMERCIAL LEASING OF DEFENSE ARTICLES

23 SEC. 576. Notwithstanding any other provision of  
24 law, and subject to the regular notification procedures of  
25 the Committees on Appropriations, the authority of sec-  
26 tion 23(a) of the Arms Export Control Act may be used

1 to provide financing to Israel, Egypt and NATO and  
2 major non-NATO allies for the procurement by leasing  
3 (including leasing with an option to purchase) of defense  
4 articles from United States commercial suppliers, not in-  
5 cluding Major Defense Equipment (other than helicopters  
6 and other types of aircraft having possible civilian applica-  
7 tion), if the President determines that there are compel-  
8 ling foreign policy or national security reasons for those  
9 defense articles being provided by commercial lease rather  
10 than by government-to-government sale under such Act.

11 ABOLITION OF THE INTER-AMERICAN FOUNDATION

12 SEC. 577. Section 586 of the Foreign Operations, Ex-  
13 port Financing, and Related Programs Appropriations  
14 Act, 2000, as enacted by section 1000(a)(2) of Public Law  
15 106–113, as amended, is further amended by striking  
16 “years 2000 and 2001” and inserting in lieu thereof  
17 “years 2000, 2001, and 2002”.

18 WAR CRIMINALS

19 SEC. 578. (a) None of the funds appropriated or oth-  
20 erwise made available pursuant to this Act may be made  
21 available for assistance, with the exception of humani-  
22 tarian assistance and assistance for democratization, to  
23 any country, entity or municipality whose competent au-  
24 thorities have failed, as determined by the Secretary of  
25 State, to take necessary and significant steps to imple-  
26 ment its international legal obligations to apprehend and

1 transfer to the International Criminal Tribunal for the  
2 Former Yugoslavia (the “Tribunal”) all persons in their  
3 territory who have been publicly indicted by the Tribunal.

4 (b) The provisions of subsection (a) shall apply unless  
5 the Secretary of State determines and reports to the ap-  
6 propriate committees of the Congress that the competent  
7 authorities of such country, entity, or municipality are—

8 (1) cooperating with the Tribunal, including ac-  
9 cess for investigators, the provision of documents,  
10 and the surrender and transfer of publicly indicted  
11 inditees or assistance in their apprehension; and

12 (2) taking steps that are consistent with the  
13 Dayton Accords.

14 (c) The Secretary of State may waive the application  
15 of subsection (a) with respect to a country, entity, or mu-  
16 nicipality upon a written determination to the Committees  
17 on Appropriations of the House of Representatives and the  
18 Senate that provision of assistance that would otherwise  
19 be prohibited by that subsection is in the national interest  
20 of the United States.

21 USER FEES

22 SEC. 579. The Secretary of the Treasury shall in-  
23 struct the United States Executive Director at each inter-  
24 national financial institution (as defined in section  
25 1701(c)(2) of the International Financial Institutions Act)  
26 and the International Monetary Fund to oppose any loan

1 of these institutions that would require user fees or service  
2 charges on poor people for primary education or primary  
3 healthcare, including prevention and treatment efforts for  
4 HIV/AIDS, malaria, tuberculosis, and infant, child, and  
5 maternal well-being, in connection with the institutions'  
6 lending programs.

7 BASIC EDUCATION ASSISTANCE FOR PAKISTAN

8 SEC. 580. Funds appropriated by this Act to carry  
9 out the provisions of chapter 4 of part II of the Foreign  
10 Assistance Act of 1961 may be made available for assist-  
11 ance for basic education programs for Pakistan, notwith-  
12 standing any provision of law that restricts assistance to  
13 foreign countries.

14 HEAVILY INDEBTED POOR COUNTRIES TRUST FUND

15 AUTHORIZATION

16 SEC. 581. Section 801(b)(1) of the Foreign Oper-  
17 ations, Export Financing, and Related Programs Appro-  
18 priations Act, 2001 (Public Law 106–429) is amended by  
19 striking “\$435,000,000” and inserting “\$600,000,000”.

20 FUNDING FOR SERBIA

21 SEC. 582. (a) Funds appropriated by this Act may  
22 be made available for assistance for Serbia after March  
23 31, 2002, if the President has made the determination and  
24 certification contained in subsection (c).

25 (b) After March 31, 2002, the Secretary of the Treas-  
26 ury should instruct the United States executive directors

1 to international financial institutions to support loans and  
2 assistance to the Government of the Federal Republic of  
3 Yugoslavia subject to the conditions in subsection (c).

4 (c) The determination and certification referred to in  
5 subsection (a) is a determination by the President and a  
6 certification to the Committees on Appropriations that the  
7 Government of the Federal Republic of Yugoslavia is—

8 (1) cooperating with the International Criminal  
9 Tribunal for Yugoslavia including access for inves-  
10 tigators, the provision of documents, and the sur-  
11 render and transfer of indictees or assistance in  
12 their apprehension;

13 (2) taking steps that are consistent with the  
14 Dayton Accords to end Serbian financial, political,  
15 security and other support which has served to  
16 maintain separate Republika Srpska institutions;  
17 and

18 (3) taking steps to implement policies which re-  
19 flect a respect for minority rights and the rule of  
20 law.

21 (d) Subsections (b) and (c) shall not apply to Monte-  
22 negro, Kosovo, humanitarian assistance or assistance to  
23 promote democracy in municipalities.

24 IMPROVING GLOBAL HEALTH THROUGH SAFE INJECTIONS

25 SEC. 583. (a) In carrying out immunization programs  
26 and other programs for the prevention, treatment, and

1 control of infectious diseases, including tuberculosis, HIV  
2 and AIDS, polio, and malaria, the Administrator of the  
3 United States Agency for International Development, in  
4 coordination with the Centers for Disease Control and  
5 Prevention, the National Institutes of Health, national  
6 and local governments, and other organizations, such as  
7 the World Health Organization and the United Nations  
8 Children's Fund, shall develop and implement effective  
9 strategies to improve injection safety, including elimi-  
10 nating unnecessary injections, promoting the availability  
11 and use of single-use auto-disable needles and syringes  
12 and other safe injection technologies, strengthening the  
13 procedures for proper needle and syringe disposal, and im-  
14 proving the education and information provided to the  
15 public and to health professionals.

16 (b) Not later than March 31, 2002, the Adminis-  
17 trator of the United States Agency for International De-  
18 velopment shall transmit to the Congress a report on the  
19 implementation of subsection (a).

20 EL SALVADOR RECONSTRUCTION

21 SEC. 584. During fiscal year 2002, not less than  
22 \$100,000,000 shall be made available for rehabilitation  
23 and reconstruction assistance for El Salvador: *Provided*,  
24 That such funds shall be derived as follows: (1) from funds  
25 appropriated by this Act, not less than \$65,000,000, of  
26 which not less than \$25,000,000 shall be from funds ap-

1   appropriated under the heading “Economic Support Fund”,  
2   not to exceed \$25,000,000 shall be from funds appro-  
3   priated under the heading “International Disaster Assist-  
4   ance”, and not to exceed a total of \$15,000,000 shall be  
5   from funds appropriated under the headings “Child Sur-  
6   vival and Health Programs Fund” and “Development As-  
7   sistance”; and (2) from funds appropriated under such  
8   headings for foreign operations, export financing, and re-  
9   lated programs for fiscal year 1999 and prior years, not  
10  less than \$35,000,000: *Provided further*, That none of the  
11  funds made available under this section may be obligated  
12  for nonproject assistance: *Provided further*, That prior to  
13  any obligation of funds made available under this section,  
14  the Administrator of the United States Agency for Inter-  
15  national Development (USAID) shall provide the Commit-  
16  tees on Appropriations with a detailed report containing  
17  the amount of the proposed obligation and a description  
18  of the programs and projects, on a sector-by-sector basis,  
19  to be funded with such amount: *Provided further*, That  
20  of the funds made available under this heading, up to  
21  \$2,500,000 may be used for administrative expenses, in-  
22  cluding auditing costs, of USAID.

23       This Act may be cited as the “Foreign Operations,  
24  Export Financing, and Related Programs Appropriations  
25  Act, 2002”.





**Union Calendar No. 83**

107TH CONGRESS  
1ST SESSION

**H. R. 2506**

**[Report No. 107-142]**

---

---

**A BILL**

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.

---

---

JULY 17, 2001

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed